

LAWS OF PENNSYLVANIA,

ble as if the said bank had been, by its charter and act of incorporation, fully empowered to take and hold the said tract of land.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-four. WM. BIGLER.

No. 30.

AN ACT

To consolidate and amend the Road Laws of the counties of Beaver, Butler and Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of road and bridge viewers, appointed by the courts of quarter sessions of the counties of Beaver, Butler and Lawrence, shall be three, one of whom shall be a surveyor, if deemed necessary; every view, review, and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court: the provisions of this section shall include viewers appointed to inspect bridges under the thirty-ninth section of the general road law of eighteen hundred and thirty-six.

Number of viewers.

Public notice to be given.

SECTION 2. In all cases of the appointment of viewers, in the said counties, to view the site of a bridge, or to view and locate, vacate or change and supply any public or private road, or to review or re-review the same, the said viewers, reviewers, or re-reviewers, or one of them shall, before proceeding to view, give public notice by three or more advertisements put up, at least five days before the time of meeting, in the most public places in the vicinity of the place to be viewed, of the time and place they will meet for the purpose of making such view.

Viewers to procure releases.

SECTION 3. If the viewers aforesaid shall decide in favor of locating a site of a bridge, or of a public road, or to make any change in the location of any public road which they were appointed to review, re-review, or to change and supply, it shall be the duty of the said viewers to endeavor to procure from the persons, through whose lands such location or re-location may be made, releases from all claims of damages that might arise from opening the road, which releases shall be good, if in writing only, though not under seal: in every such case where the said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages, and make report thereof,

signed by a majority of their number, and return the same, together with all releases obtained, to the proper court of quarter sessions: *Provided*, That any person affected by such report shall be entitled to a review of his damages, upon presenting a petition therefor not later than the third day of the next stated term, after the term to which the report is returnable; but when there is more than one petition presented, founded on the same report of viewers, or where a review or re-review of the road is granted at the same term, the court may appoint the same reviewers, or re-reviewers, on all the petitions, and direct one order only to be issued for the review or re-review of the road and the assessment of the damages, or for the assessment of the damages in all the cases. Proviso.

SECTION 4. It shall be the duty of the said court to examine, carefully, the amount of damages assessed as aforesaid, and if the court shall be satisfied that the amount of damages assessed in any case, is such that the public interest will be subserved by its payment and the opening of the road, they shall confirm such view, review, or re-review, and the assessment of damages, which shall be paid as directed by law; but if the said court shall not be so satisfied, the said report shall not be confirmed, unless the damages shall be first paid by the petitioners or other persons interested. Damages.

SECTION 5. When the viewers appointed shall decide in favor of locating or re-locating a private road, they shall view and assess the damages, if any, and make report thereof, and the proceedings thereupon to review or re-review the damages, shall be as hereinbefore provided in cases of public roads. Viewers to assess damages.

SECTION 6. All acts of Assembly supplied by this act, or inconsistent herewith, except the general road law, passed the thirteenth day of June, one thousand eight hundred and thirty-six, and as much of the last named law as is inconsistent herewith, are hereby repealed, so far as regards the counties of Beaver, Butler and Lawrence: *Provided*, That all proceedings under former laws now pending, shall be prosecuted to a final completion or determination under the same laws, and under this act, so far as the same is applicable, as fully as though they were not supplied or repealed. Repeal. Proviso.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eleventh day of February, one thousand eight hundred and fifty-four.

WM. BIGLER.