

Proviso in fa-  
vour of persons  
owning lands  
on the branch-  
es of said creek.

vigation of the said branches, to remove all natu-  
ral or other obstructions in the same: *Provided*  
*nevertheless*, That any person or persons owning  
or possessing lands on the said branches, shall have  
liberty to erect any dam or dams across the same,  
agreeably and subject to the restrictions and  
provisions of the act of the General Assembly of  
this Commonwealth, passed on the twenty-third  
day of March, one thousand eight hundred and  
three, entitled, "An act to authorise any person  
or persons owning lands adjoining navigable  
streams of water, declared public highways, to  
erect dams upon such streams for mills and other  
water-works."

SIMON SNYDER, *Speaker*  
*of the House of Representatives.*

JOHN STEELE, *Speaker*  
*of the Senate.*

APPROVED—the fourth day of April, in the year  
of our Lord one thousand eight hundred  
and five.

THOMAS M'KEAN, *Governor*  
*of the Commonwealth of Pennsylvania.*

## CHAPTER LXXXII.

*An ACT appropriating a Sum of Money for  
viewing and opening a Road from the Town  
of Somersset, in the County of Somersset, to  
Greensburgh, in the County of Westmoreland.*

Preamble.

**W**HEREAS it has been represented to the  
Legislature, that a road if laid out and  
opened in a direct course from the town of Som-  
ersset, in the county of Somersset, to Greens-  
burgh, in the county of Westmoreland, would  
be

be a great accommodation to the inhabitants of the adjacent country, and as a public post-road of general utility: And whereas it appears that a great part of the country through which the road must pass is mountainous and uninhabited, so that a road cannot be opened by the townships in the usual way: Therefore,

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 Governor is hereby authorized to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a public highway from the town of Somerset, in the county of Somerset, in the most direct practicable route to Greensburgh, in the county of Westmoreland, and the said commissioners shall proceed to perform said service at such time as the Governor shall direct, and shall cause a draft of said road to be deposited in the office of the Secretary of the Commonwealth, and shall also deposit a copy of said draft in the prothonotary's office in each of the counties of Somerset and Westmoreland, which shall be deemed a record of said road, which from thenceforth shall be to all intents and purposes a highway, and shall be kept in repair as other roads laid out by order of the courts of quarter-sessions are in said counties.

The Governor authorized to appoint three commissioners to lay out and mark the best route for the road:

Who shall deposit a draft thereof in the Secretary's office, and a copy of said draft in the prothonotary's office in each of the counties of Somerset and Westmoreland.

Sec. 2. *And be it further enacted by the authority aforesaid,* That each of said commissioners shall receive two dollars for each day he shall be employed in the service aforesaid, exclusive of reasonable allowance to chain-carriers, to be paid in equal proportions by the treasurers of Somerset and Westmoreland counties, out of

Compensation of the commissioners;

and allowance to chain-carriers;

the

the county stock on warrants of the commissioners of the respective counties.

200 dollars appropriated, payable out of the arrearages of State-taxes due from Westmoreland.

Sec. 3. *And be it further enacted by the authority aforesaid,* That the sum of eight hundred dollars is hereby appropriated to the purposes of this act, to be paid out of the arrearages of State-taxes yet due from Westmoreland county; to be paid by the treasurer of said county on a warrant or warrants of the commissioners thereof, out of the arrearages of State-taxes aforesaid, and not otherwise; which sum so paid shall be allowed the said treasurer on the settlement of his accounts.

Money appropriated, to be applied to the opening of so much of said road as lies in Westmoreland county.

Sec. 4. *And be it further enacted by the authority aforesaid,* That the sum hereby appropriated shall be applied to the opening of the aforesaid road within the county of Westmoreland, and shall be expended under the direction of the commissioners thereof, always giving a preference to the mountainous and uninhabited parts of the said road.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

JOHN STEELE, *Speaker*  
of the Senate.

APPROVED—the fourth day of April, in the year of our Lord one thousand eight hundred and five.

THOMAS M'KEAN, *Governor*  
of the Commonwealth of Pennsylvania.