

lic places in the said borough, ten days previously thereto; he shall attend and see that the same is opened at the time, and in the manner directed by this act: Provided, that it shall be the duty of the constable residing therein for the time being, to publish and superintend the election to be held on the first Monday in May next, as is hereinbefore directed.

Section XII. (Section XII, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall think him or themselves aggrieved by any thing done in pursuance of this act, he, she, or they may appeal to the next court of quarter sessions to be held for the proper county, upon giving security according to law, to prosecute his, her or their appeal with effect, and the court having taken such order therein as shall seem to them just and reasonable, the same shall be conclusive against all parties.

Approved March 1, 1806. Recorded in L. B. No. 10, p. 257.

CHAPTER MMDCLXI.

AN ACT TO ASCERTAIN PART OF THE BOUNDARY LINE OF WESTMORELAND AND FAYETTE COUNTIES.

Whereas doubts have arisen concerning that part of the boundary line between the counties of Westmoreland and Fayette, viz. From Cherry's, now Lobengier's mill, to where it intersects the line of Bedford, now Somerset county, as described by an act passed the seventeenth day of February, one thousand seven hundred and eighty-four,⁽¹⁾ for annexing part of Westmoreland county to the county of Fayette: For remedy whereof,

Section I. (Section I, P. L.) 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 be, and he is hereby authorized and required to appoint three commissioners, one of whom shall be a practical surveyor, for the purpose of running, marking and ascertaining part of the boundary line of the counties of Westmoreland and Fayette, ac-

ording to the following boundaries; that is to say, beginning where the state road now crosses the line of Somerset county; thence on the nearest and best ground for a public highway, to intersect the Pittsburgh road, at or near Lobengier's mill; and the said commissioners, or any two of them, shall make duplicate plots of the line so run, and shall deposit one with the recorder of deeds of each county, in order to their being entered of record; for which service the said commissioners shall receive each the sum of three dollars for every day they shall necessarily be employed in laying out, marking and ascertaining said line, exclusive of reasonable allowance for chain carriers; which line shall thenceforth be deemed and taken as the division line between the counties of Westmoreland and Fayette, and forever after be kept in repair by the adjoining townships, as other roads and highways.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the expense attending the execution of the duties enjoined on the commissioners by this act, shall be paid one half by each county; and the county commissioners are hereby authorized to draw warrants accordingly on their respective treasurer, in favor of the said commissioners appointed to run the lines aforesaid.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the commissioners appointed as aforesaid, or any two of them be, and they are hereby authorized and required to contract with any person or persons, and take security for opening and clearing the said road, for any sum not exceeding four hundred dollars; and the said commissioners are hereby empowered to draw an order or orders on the treasurer of Westmoreland county, for such parts of the sum of four hundred dollars, as shall be necessary for the purposes aforesaid, and shall be paid by him out of the arrearages of state taxes due from Westmoreland county, which shall be allowed him on the settlement of his accounts with the comptroller general.