

CHAPTER XXXVII.

AN ACT

Authorising the Governor to incorporate the president and managers of the Armstrong, Indiana and Cambria turnpike road company.

- SECT. 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 for the purpose of making an artificial or turnpike road, to commence at or near the town of Ebensburg, in Cambria county, thence through the borough of Indiana, in Indiana county, to intersect the Allegheny river, at the town of Kittaning, in Armstrong county, it shall and may be lawful for the Governor of this Commonwealth, to incorporate a company on the terms and conditions hereinafter mentioned and provided, to be known by the name and style of the "Armstrong, Indiana and Cambria turnpike road company."
- SECT. 2.** *And be it further enacted by the authority aforesaid,* That David Stewart and John Blair, of Huntingdon county; George Roberts, Philip Noon and David Todd, of Cambria county; John Denniston, Daniel Stanard, Thomas Sharp, Joseph Moorhead and William Cummins, of Indiana county; and Thomas Hamilton, David Reynolds, Philip Templeton, Robert Nelson and Michael Macklin, of Armstrong county; John Negley, John Parker and Walter Lowrie, of Butler county, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, They or a majority of them shall, on or before the first Monday in July next, procure one or more books, and therein enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president and managers of the Armstrong, Indiana and Cambria turnpike road company, the sum of twenty-five dollars, for each share of stock in the said company, set opposite to our respective names, in such manner, in such proportions and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the General Assembly of the commonwealth of Pennsylvania, entitled 'An act authorising the Governor to incorporate the president and managers of the Armstrong, Indiana and Cambria turnpike road company.' Witness our hands, this day of in the year of our Lord one thousand eight hundred and ."
- And shall thereupon give such public notice as they shall think necessary, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of said company, at which respective times and places some one or more of the said commissioners shall attend, and permit all persons of lawful age who shall offer to subscribe in the said books, in their own name or the names of any

Route of the road.

Style of the company.

Commissioners named.

Books to be procured and opened.

Notice to be given of the time and place of subscribing.

other person or persons who shall duly authorise the same, for any number of shares in the said stock; and the said books shall be kept open respectively, for the purpose aforesaid, at least six hours in every juridical day, for the space of three days if necessary, or until four thousand shares shall have been subscribed of the stock of the said company; and if, at the expiration of the said three days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books elsewhere, until the whole number of shares shall be subscribed, of which adjournments and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares subscribed in all the books, shall amount to the number aforesaid, the same shall be closed: *Provided always*, That every person offering to subscribe in the said books, in his own or any other name, shall previously pay to the attending commissioners the sum of three dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the said company as soon as the same shall be organised and the officers chosen as hereinafter mentioned.

SECT. 3. *And be it further enacted by the authority aforesaid*, That when twenty persons or more shall have subscribed one thousand shares or more, of the stock of said company, the said commissioners or a majority of them may, or when the whole number of shares aforesaid shall be subscribed, they shall certify to the Governor, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each; whereupon he shall, by letters patent under his hand and seal of the state, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the respective name, style and title as designated in the first section of this act, and by the same name, the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation or corporations, and shall be capable of taking and holding their capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intention of this act, and of purchasing, taking and holding to them and their successors and assigns in fee simple, or for any lesser estate, all such lands, tenements, hereditaments and estate real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

Books to be kept open three days, or until 4000 shares are subscribed.

Subscriptions may be adjourned and transferred.

Three dollars a share to be paid on subscribing.

When 20 or more persons shall have subscribed 1000 shares, letters patent may issue.

Powers and privileges of the corporation.

May enlarge their capital by new subscription.

Company,
how organi-
sed.

What officers
shall be cho-
sen.

May make
bye-laws, &c.

Provido.

Time and
place of meet-
ing to choose
officers.

Certificates
of shares of
stock to be
issued.

On payment
of \$3, how
transferable.

SECT. 4. *And be it further enacted by the authority afore-
said,* That the commissioners of said company shall, as soon
as conveniently may be, after the said letters patent shall be
obtained, give notice as aforesaid of the time and place by
them appointed for the said subscribers to meet in order to
organise the said corporation, and to choose by a majority of
votes of the said subscribers, by ballot, to be delivered in per-
son or by proxy duly authorised, one president, twelve mana-
gers, one treasurer, and such other officers as shall be deemed
necessary to conduct the business of said company until the
first Monday of May, in the year of our Lord one thousand
eight hundred and nineteen, and until like officers shall be
chosen, and may make such bye-laws, rules, orders and regu-
lations as do not contravene the constitution and laws of the
United States or of this commonwealth, and may be necessa-
ry for the well governing the affairs of the said company;
Provided always, That no person in his own right shall have
more than fifteen votes at any election, or determining any
question arising at said meeting, whatever number of shares
he, she or they may be entitled to, and that each person shall
be entitled to one vote for every share by him, her or them
held under that number.

SECT. 5. *And be it further enacted by the authority afore-
said,* That the said company shall meet on the first Monday
of May, in the year of our Lord one thousand eight hundred
and nineteen, and on the first Monday of May in every year
thereafter, at such place as shall be fixed by their bye-laws,
for the purpose of choosing managers, and such other officers
as aforesaid, for the ensuing year, in manner aforesaid, and
at such other times as they shall be summoned by the mana-
gers, in such manner and form as shall be prescribed by their
bye-laws.

SECT. 6. *And be it further enacted by the authority afore-
said,* That the president and managers first chosen as afore-
said for said company, shall procure certificates for all the
shares of the stock of the said company, and shall deliver one
such certificate, signed by the president and countersigned
by the treasurer, and sealed with the common seal of the said
corporation, to each person for every share by him, her or
them subscribed and held, he, she or they paying three dollars
for each share, which certificate shall be transferable at plea-
sure, or by attorney duly authorised, in the presence of the
president or treasurer, subject however to all payments due
or to become due thereon; and the assignee holding any cer-
tificate, having first caused the assignment to be entered in a
book of the company to be kept for that purpose, shall be a
member of the corporation; and for every certificate assigned
to him as aforesaid, shall be entitled to one share of the capi-
tal stock and of all estates and emoluments of the company,
and to vote as aforesaid at the meetings thereof.

SECT. 7. *And be it further enacted by the authority afore-*

said, That the said president and managers shall meet at such Times and places as shall be ordained by their bye-laws, and when met, seven members shall form a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book, and a quorum being formed, they shall have full power and authority to appoint all such surveyors, engineers, superintendents and other artists and officers as they shall deem necessary to carry on their intended works, and to fix their salaries and wages, to ascertain the times when and manner and proportions in which the stockholders shall pay the monies due on their respective shares, to draw orders on the treasurer for all monies necessary to pay the salaries or wages of persons by them employed, and for materials: *Provided*, That such drafts do not exceed the sums deposited by the company, and such orders be signed by the president, or, in his absence, by a majority of a quorum, and generally to do all such other acts, matters and things as by this act and by the bye-laws, rules, orders and regulations of the company they shall be authorised to do.

SECT. 8. *And be it further enacted by the authority aforesaid*, That if, after thirty days notice in such public papers, at the discretion of the managers, as shall be best calculated to notify such stockholders of the time and place appointed for the payment of any proportion or dividend of the said capital stock, in order to carry on the work, any stockholder shall neglect to pay such proportion or dividend at the place appointed, for the space of thirty days after the time so appointed, every such stockholder or his assignee shall, in addition to the dividend so called for, pay at the rate of two per centum per month for the delay of such payment, and if the same and additional penalty shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part, and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same, or in default of payment by any stockholder of any such instalment as aforesaid, that the said president and managers may, at their election, cause suit to be brought, in any court of competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided always*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, unless the whole sum due and payable as aforesaid, on the share or shares by him held at the time of such election or general or special meeting of the said company, shall have been fully paid and discharged as aforesaid.

SECT. 9. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the said president and managers, their superintendents, surveyors, engi-

Company and their officers may enter lands, &c. to examine the route, &c.

neers, artists and chain bearers, to enter into and upon all and every the lands, tenements and enclosures, in, through and over which the said intended turnpike road may be thought proper to pass, and to examine the ground most proper for the purpose, and the quarries and beds of stone and gravel, and other materials in the vicinity, that will be necessary in making and constructing the said road; and to survey, lay down, ascertain, mark and fix such route or track of the said road, upon such practicable ground as will be shortest in distance between the several points of the said road mentioned in this act, and to open, make and construct said road in the manner hereinafter described.

May enter the contiguous lands, &c. after notice, &c. and take materials.
Making amends for damage done.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the said president and managers, by and with their superintendents, engineers, artists, workmen and laborers, with their tools, instruments, carts, waggons and other carriages, and beasts of draught or burthen, may enter upon the lands over, contiguous and near to the route of the said intended road, first giving notice to the owners or occupiers thereof, and afterwards doing as little damage thereto as possible, and repairing any breaches they may make in the inclosures thereof, and making amends for any damage that may be done to the improvements thereon, the amount whereof, if the parties do not agree, shall be assessed by any three disinterested freeholders, to be appointed by the court of quarter sessions of the county where such damage may be done, and upon tender of the appraised value, may dig, take and carry away any stone, gravel or other materials, there being most conveniently situate for making and repairing the said road: *Provided,* If the owner of any land shall suffer damage by the road passing over the same, such owner, may within one year make application to the court of quarter sessions of the proper county which shall appoint three disinterested freeholders, who shall assess and determine, and under their oaths or affirmations report to the said court what damage such owner shall have sustained by reason of said road passing over the same, taking into view in such assessment, and making due and full allowance for all advantages accruing or likely to accrue to such owner by reason of so making and establishing the same.

Proviso as to owners of land suffering damage by the roads passing over it.

The road to be not less than 33 nor more than 50 feet wide.

In what manner it shall be constructed.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the president and managers of said road shall cause a road to be laid out as aforesaid, of not less than thirty-three nor more than fifty-feet in width, and at least twenty feet thereof to be made an artificial road of firm and substantial materials composed of wood, gravel, stone or other hard substances, in such manner as to secure a solid foundation and even surface, so far as the nature of the country and materials will admit in the whole extent of the said road wherever it shall be necessary and the natural surface require it, so as to fulfil the duties of the said company toward the

public, and so nearly level in its progress as that it shall in no place rise or fall more than will form an angle of five degrees with a horizontal line, and shall forever after maintain and keep the same in good and perfect order and repair, and the said president, managers and company shall erect such substantial bridges over all streams of water crossing the said road as may be necessary.

SECT. 12. *And be it further enacted by the authority aforesaid,* That as soon as the said president, managers and company of said road shall have perfected the said road for the distance of five miles from either of the points aforesaid, and so from time to time any distance not less than five miles progressively from the same towards either of the places aforesaid, they shall give notice thereof to the Governor, who shall thereupon forthwith appoint three disinterested persons to view and examine the same, and to report to him in writing whether the said road is so far executed in a masterly and workmanlike manner, according to the true intent and meaning of this act, and if their report shall in either case be in the affirmative, then the Governor shall by license under his hand and the lesser seal of this commonwealth, permit the said president, managers and company to fix and erect so many gates or turnpikes upon and across the said road as will be necessary and sufficient to enable them to collect the tolls and duties herein after granted to the said company, from all persons travelling on the same with horses, cattle, sheep, swine and carriages: *Provided,* That no toll be demanded or taken from any person passing or repassing from one part of his or her farm to another, or to and from public worship, or funeral, or from any officer or private belonging to the militia going to or returning from any company, battalion or regimental training on days appointed for that purpose, or from any person going to or returning from any general or township election, or from any person going to or returning from school.

When any section of 5 miles is completed the Governor to appoint viewers.

On their favorable report the Governor to license gates to be erected

Proviso.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the said company having perfected the said road or such part thereof from time to time as aforesaid, and the same being examined, approved and licensed as aforesaid, it shall and may be lawful for them to appoint such and so many toll gatherers as they shall think proper to collect and receive of and from all and every person and persons using the said road the tolls and rates hereinafter mentioned, and to stop any person riding or leading any horse, or driving any cattle, hogs or sheep, or driving any coach, coachee, sulkey, chair, chaise, phaeton, cart, waggon, sleigh, sled or other carriage of burthen or pleasure from passing through the said turnpikes or gates until they shall respectively have paid the same, that is to say, For every five miles in length of the said road completed and licensed as aforesaid, the following sums of money and so in proportion for any lesser or greater

The company to appoint toll gatherers.

Tolls and rates to be collected from persons using the road.

distance actually travelled, or for any greater or less number of sheep, hogs or cattle, to wit. For every score of hogs six and one-fourth cents: for every score of sheep six and one fourth cents; for every score of cattle twelve and an half cents; for every horse or mule laden or unladen with his rider, leader or driver three cents; for every sulkey, chair or chaise with one horse and two wheels six and one fourth cents, and with two horses ten cents; for every chariot, coach, phaeton or chaise with four wheels and two horses twelve and one-half cents; for either of the carriages last mentioned with four horses twenty-cents; for every other carriage of pleasure under whatever name it may go the like sums according to the number of wheels and horses drawing the same; for every stage waggon with two horses twelve and one half cents, and for every such waggon with four horses twenty cents; for every sleigh three cents for each horse drawing the same; for every sled two cents for each horse drawing the same; for every cart or waggon the wheels of which do not exceed the breadth of four inches six and one fourth cents for each horse drawing the same; for every cart or waggon the wheels of which shall exceed in breadth four inches and not exceeding seven inches, three cents for each horse drawing the same; for every cart or waggon the breadth of the wheels of which shall be more than seven inches and not more than ten inches, or being of the breadth of seven inches shall roll more than ten inches, two cents for each horse drawing the same; for every cart or waggon the breadth of the wheels of which shall be more than ten inches and not exceeding twelve inches, or being ten inches shall roll more than fifteen inches, one cent for each horse drawing the same; for every cart or waggon the breadth of the wheels of which shall be more than twelve inches, one cent for each horse drawing the same, and all carriages as aforesaid which shall be drawn by oxen in the whole, or partly by oxen and partly by horses, two oxen shall be estimated as equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse. And if any person or persons shall represent to the said company or any of its officers that he, she or they have travelled a less distance than he, she or they have actually travelled along the said road, with intent to defraud the said company of their toll or any part thereof, such person or persons shall for every such offence forfeit and pay to the use of the said company any sum not exceeding eight dollars; and if any toll gatherer shall demand and receive greater or other toll from any person or persons than such toll gatherer is authorised to demand and receive by virtue of this act, such toll gatherer shall forfeit and pay the sum of twenty dollars for every such offence to the supervisors of the highway of the township in which the forfeiture is incurred, for the repair of the roads of the said township, and for the payment of which the said company shall be responsible: *Provided*

Penalty on persons misrepresenting with intention to defraud.

Penalty on toll gatherers for demanding and receiving illegal toll.

always, That it shall and may lawful for the said company by its bye-laws to regulate the burthen of waggons or carriages to be drawn along the said road, in such manner as shall be found from experience to be most conducive to the public convenience and the advantage of said company. Proviso:

SECT. 14 *And be it further enacted by the authority aforesaid*, That if the said company shall neglect to keep the said road and bridges in good and perfect order and repair for the space of five days, and information shall be given thereof to any justice of the peace of the neighborhood within the county, where the repair ought to be made, such justice shall issue a precept to be directed to any constable, commanding him to summon three disinterested persons to meet at a certain time in the precept to be mentioned, at the place in such road as shall have been complained of, of which meetings notice shall be given to the keeper of the gate or turnpike nearest thereto within the said county, and the said justice shall at such time and place, on the oaths or affirmations of said persons enquire whether the said road or any part thereof is in such good and perfect order and repair as aforesaid, and if upon such enquiry the said road shall be found to be out of order and repair, contrary to the true intent and meaning of this act, the said justice shall cause an inquisition thereof to be made under his hand and at least two of the said persons, one copy whereof he shall certify and send to each of the keepers of the turnpike or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put in good and perfect order and repair as aforesaid, and if the same shall not be put into good and perfect order and repair before the next court of quarter sessions of the peace to be held for the county in which the defect is proved to be, the said justice shall certify and send a copy of the inquisition aforesaid to the justices of the said court, who shall thereupon cause process to issue to bring in the body or bodies of the person or persons entrusted by the said company with the care and superintendance of such part of the said road as shall be so found defective, and shall proceed thereon as in the case of supervisors of the highways for neglect of their duty, and if he or they shall be convicted of the offence charged in the said inquisition, the said court shall give such judgment according to the nature and aggravation of the neglect as they in their discretion shall judge proper: *Provided*, The fine in no instance shall be less than twenty dollars nor exceed one hundred dollars, and the fine so imposed shall be recovered in the same manner as fines for misdemeanors are usually recovered in the said county, and shall be paid to the supervisors of the highways of the township. Mode of proceeding in case the road and bridges are not kept in repair.

wherein the offence was committed, to be applied to repairing the highways and public roads therein.

Penalty on persons endeavoring to defraud the company of their tolls.

SECT. 15. *And be it further enacted by the authority aforesaid,* That if any person or persons whosoever riding in, or driving any sulkey, chair, chaise, phaeton, cart, waggon, sleigh, sled, or other carriage of burthen or pleasure, riding or leading any horse, mare or gelding, or driving any sheep, hogs or other cattle, shall therewith pass through any private gates or bars, or along or over any private passage way or other ground near to or adjoining any turnpike or gate erected, or which shall be erected in pursuance of this act with an intent to defraud the said company and avoid the payment of the toll or duty for passing through any such gate or turnpike, or if any person or persons shall with such intent take off, or cause to be taken off, any horse, mare or gelding, or other cattle, from any sulkey, chair, chaise, phaeton, cart, waggon, sleigh, sled or other carriage of burthen or pleasure, or practice any other fraudulent means or devise with the intent that the payment of any such toll or duty may be evaded or lessened, all and every such person or persons, in all and every or any of the ways and manners aforesaid offending, shall for every such offence respectively forfeit and pay to the president, managers and company of the said turnpike road any sum not exceeding ten dollars, to be sued for and recovered with cost of suits before any justice of the peace, in like manner and subject to the same rules and regulations as debts of a similar amount may now or hereafter be sued for and recovered.

Accounts to be kept:

To be submitted once a year at least to the stockholders.

When the shares may be increased.

SECT. 16. *And be it further enacted by the authority aforesaid,* That the president and managers of said company shall keep fair and just accounts of all monies received by them from the said commissioners, and from the subscribers to the said undertaking on account of the several subscriptions, of all penalties for delay in the payment thereof, and the amount of the profits on the shares which may be forfeited as aforesaid, and also of all monies by them expended in the prosecution of their said works, and shall once at least in every year submit such accounts to a general meeting of the stockholders until the said accounts shall be completed, and until all the costs, charges and expenses of effecting the same shall be fully paid and discharged, and the aggregate amount of such expenses shall be liquidated and ascertained, and if upon such liquidation, or when the capital stock of said company shall be nearly expended, it shall be found that the said capital stock will be insufficient to complete the said road according to the true intent and meaning of this act, it shall and may be lawful for the president and managers of said company at a stated or special meeting to be convened according to the provisions of this act or their own bye-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to receive and demand the monies subscribed for such shares, in like manner and under like penalties as are

herein before provided for the original subscription, or as shall be provided by the bye-laws.

SECT. 17. *And be it further enacted by the authority aforesaid,* That the said president and managers shall also keep a just and true account of all the monies received by their several and respective collectors of tolls at the several respective gates or turnpikes on the said road from the beginning to the end thereof, and shall make and declare a dividend of the clear profits and income thereof among the stockholders, all contingent costs and charges being first deducted, and shall on the first Monday in May and November in every year publish the half yearly dividend aforesaid, and the time when and place where the same will be paid, and shall cause the same to be paid accordingly.

Accounts of tolls also to be kept, and dividend declared half yearly.

SECT. 18. *And be it further enacted by the authority aforesaid,* That the president and managers of said company shall at the end of every year after the said road shall have been completed, lay before the General Assembly an abstract of their accounts shewing the whole amount of capital expended in the prosecution of the said work, and of the income and profits arising from the said tolls for and during the said respective periods, together with an exact account of the costs and charges of keeping the said road in repair and all other contingent costs and charges, that the clear annual income and profits thereof may be known and ascertained. And if at the end of one year after the said first section of five miles and each like succeeding section of the said road shall have been completed, it shall appear from the average profits that the clear income will not yield a dividend of six per cent. per annum on the whole capital stock of the said company so expended, then it shall and may be lawful for the president, managers and company to increase the tolls herein before allowed so much upon each and every allowance thereof as will raise the said dividend up to six per centum per annum, and at the end of every year after the said road shall have been completed, they shall render to the General Assembly a like abstract of their accounts, and if at any time the said clear income and profits shall exceed a dividend of nine per centum per annum, then the said toll shall be so reduced as to reduce the said dividend down to nine per centum per annum.

An abstract of the accounts to be laid annually before the legislature.

Tolls may be increased in case the dividend does not equal 6 per cent. so as to make the dividend equal that sum.

Dividend not to exceed 9 per cent.

SECT. 19. *And be it further enacted by the authority aforesaid,* That the said company shall cause mile stones to be placed on the side of the said road, and also cause to be affixed and kept up at each gate a printed list of the rates of toll which may be lawfully demanded for the information of travellers and others using the said road; and if any person or persons shall wilfully destroy the said mile stones, or shall without permission of the acting superintendant of the said road, throw out upon the said road or within the limits thereof, and shall suffer to remain for the space of one day any

Mile stones to be set up and a printed list of the tolls to be affixed at the gates.

Penalty on destroying mile stones or throwing rubbish, &c. on the road.

mould, dirt, shavings, weeds or rubbish of any kind, such person or persons being convicted thereof by the evidence of one or more creditable disinterested witness or witnesses, before any justice of the peace of that county in which the offence shall have been committed, he, she or they shall be adjudged by the said justice to pay a fine not exceeding five dollars, to be recovered with costs as debts of equal amount are or may be by law recoverable, which fine when recovered shall be paid by the said justice to the treasurer for the use of the company.

Drivers to keep on the right except when passing carriages of slower draught.

SECT. 20. *And be it further enacted by the authority aforesaid,* That all waggoners and drivers of carriages of all kinds, whether of burthen or pleasure using the said road, shall except when passing by a carriage of slower draught keep the horses and carriages on the right hand side of the said road in the passing direction, leaving the other side of the road free and clear for other carriages to pass, and if any driver shall offend against this provision he shall forfeit and pay any sum not exceeding two dollars to any person who shall be so obstructed in his passage and will sue for the same, to be recovered with costs before any justice, in the same manner as debts of equal amount are or may be by law recoverable.

Penalty on offending against this provision.

SECT. 21. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within five years after the passing of this act, or shall not within seven years thereafter complete the said road according to the true intent and meaning of this act, then in either of those cases, all and singular the rights, privileges, liberties and franchises hereby granted shall revert to this commonwealth.

Time limited to proceed in and complete the road.

SECT. 22. *And be it further enacted by the authority aforesaid,* That the managers and officers of said company shall not receive more than two dollars per day for their services to be performed under this act.

WILLIAM DAVIDSON, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the seventh day of Febuary, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.