

CHAPTER CV.

An ACT to enable the governor to incorporate a company for making an artificial road beginning at the intersection of Vine and tenth streets, Philadelphia; and thence to Perkiomen bridge in the county of Montgomery.

SECT. I. 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 General Francis Swain, James Sharswood, Henry Nixon, Joseph Starne, Matthias Harrison, Francis Deal, John H. Duy, John Marclay, Alexander Crawford, Nathan Levering, jun. and Levi Pawling, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say; they shall on or before the first day of June next, procure two or more books and in each of them enter as follows, "We whose names are hereunto subscribed do promise to pay to the president and managers of the Ridge turnpike company, the sum of fifty dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the board of managers of the said company in pursuance of an act of the general assembly, entitled, "An act to enable the governor to incorporate a company for making an artificial road, beginning at the intersection of Vine and tenth streets, in Philadelphia, thence through Norristown to the Perkioming bridge in Montgomery county." Witness our hands the _____ day of _____ in the year of our Lord, one thousand eight hundred and _____ And shall thereupon give notice in such of the public newspapers as they shall think proper respectively for four weeks at least, of the time and place when and where the said books shall be open to receive subscriptions for the stock of the said company; at which respective times and places one or more of the said commissioners shall attend and permit and suffer all persons of lawful age who shall offer to subscribe in the said books in their own names, or in the name or names of any other persons who shall duly authorize 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 six days; and if at the end of six days as aforesaid the said subscription shall not amount to one thousand five hundred shares, the said commissioners may adjourn from time to time until the said books so opened shall have one thousand five hundred shares therein subscribed; of which adjournments the commissioners aforesaid shall give such public notice as the occasion may require: and when the whole number of shares subscribed in all the said books shall amount to one thousand five hundred, the same shall be closed; *Provided always*; That every per-

Commissioners named.

Books to be procured by.

Entry therein.

Notice to be given of the time and place for opening the public books.

Who may subscribe.

Books to be kept open for six days, &c.

Commissioners may adjourn.

Notice of adjournment to be given.

Five dollars on each share to be paid at subscription.

son offering to subscribe in the said books in his own name or in any other name, shall previously pay to the attending commissioners the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking such subscription and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

When the commissioners may certify the sales of shares, to the governor,

SECT. II. *And be it further enacted by the authority aforesaid,* That when forty persons or more shall have subscribed six hundred or more shares of the said stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed, they shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each, to the governor; and thereupon it shall and may be lawful for the governor by letters patent under his hand and the seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, then also those who shall afterwards subscribe, to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style, and title of, "The Ridge turnpike company," and by the said name the said subscribers shall have perpetual succession and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their same capital stock and the increase and profits thereof and of enlarging the same from time to time by new subscriptions in such manner and forms as they shall think proper if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking, and holding to them and their successors and assigns, and of selling, transferring, and conveying in fee simple or of any lesser estate, all such lauds, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and of being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

who shall thereupon incorporate the subscribers.

Style of the corporation, and privileges.

Notice to be given of the organization of the company.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in two public newspapers printed in the city of Philadelphia, in two at Norristown, and in one at Reading, if they think it necessary, of the time and place by them to be appointed, not less than twenty days from the publication of the first notice; at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person or by proxy duly authorized, one president, twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until other such officers

How and what officers are to be chosen.

shall be chosen ; and shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of the United States or of this State, as shall be necessary for the well ordering the affairs of the said company ; *Provided always,* That no person shall have more than five votes at any election, or in determining any question arising at such meeting, whatever number of shares he or she may be entitled to, and that each person shall be entitled to one vote for every share by him or her held under the said number :

When the meetings of the company shall be held.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said company shall meet on the first Monday in January, next following their organization, and on the first Monday in January in every year thereafter, at such place as shall be fixed by their by-laws for the purpose of choosing officers as aforesaid for the ensuing year in manner aforesaid, and at such other times as they shall be summoned by the managers, in such manner and form as shall be prescribed by their by-laws, at which annual or special meetings they shall have full power and authority to make, alter or repeal by a majority of votes in manner aforesaid, all such by-laws, rules, orders, and regulations as aforesaid, and to do and perform any other corporate acts.

When the meetings of the company shall be held.

May make, alter &c. by-laws, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed for the shares of the stock of 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 or her subscribed and held, he or she paying to the treasurer in part of the sum due thereupon, the sum of ten dollars for each share ; which certificate shall be transferrable at his, her, or their pleasure in person or by attorney duly authorized, in presence of the president or treasurer, subject however to all payments due and to become due thereon ; and the assignee holding any certificate having first caused the assignment to be entered in a book of the company to be kept for the purpose, shall be a member of the corporation, and for every share by him or her held, shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates of stock to be delivered,

10 dollars to be paid on each share, on delivery. Certificates to be transferrable.

Assignment to be entered, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the said president and managers shall meet at such times and places and be convened in such manner as shall be ordained by the by-laws of the said company for transacting their business ; 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 or a

Meetings of the officers.

Seven to be a quorum. May proceed in the absence of the president. Minutes to be kept.

May appoint surveyors, artists &c.

majority of them shall have full power and authority to agree with and appoint all such surveyors, superintendants, artists and officers, as they shall judge necessary to carry on the intended work, and to fix their salaries or wages; to ascertain the times when, and the manner and proportions in which the stockholders shall pay the money due on their respective shares in order to carry on the work; to draw orders on the treasurer for all monies necessary to pay the salaries or wages of persons by them employed, and for the labour done and materials provided in the prosecution of the works, which orders shall be entered or registered in their book of minutes, and shall be signed by the president, or in his absence by a majority of a quorum, and countersigned by their secretary; and generally to do all such acts, matters and things, as by the laws, rules, orders, and regulations of the company, shall be committed to them.

Penalty on neglect or refusal to pay instalments.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder whether original subscriber or assignee, after thirty days notice given in two or more public newspapers printed at Philadelphia, one printed at Norristown and one at Reading; of the time and place appointed for the payment of any proportion or instalment of the said capital stock in order to carry on the work, shall neglect to pay such proportion at the time and place appointed, and for the space of sixty days after the time appointed for the payment thereof, every stockholder shall in addition to the instalment so called for, pay at the rate of five per centum per month for every delay of such payment which may take place from and after the expiration of the said sixty days; and if the same and the said 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 share, the same shall be forfeited by and to the said company, and may be sold by them to any person or persons willing to purchase, for such price as can be obtained therefor; and no suit shall be brought for the remainder of the money on said shares subscribed; *Provided,* That no stockholder, whether an 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.

No delinquent stockholder to vote at elections.

Route of the road.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the route or track of the said road shall be laid out as near as may be consistent with economy and utility, along over and upon the bed of the present road leading from the intersection of Vine and tenth streets, in the city of Philadelphia, to Wissahiccon creek; thence to Barren hill; thence to

Norristown, in the county of Montgomery; and thence by the nearest and best route to Perkioming bridge in the county aforesaid; so as not to injure the present buildings on said road; *Provided*, That nothing herein contained shall be taken to authorize the said company, their officers or agents to enter upon any lands, tenements or enclosures, without the bounds of the present road, belonging to any person or persons, without the consent of such person or persons being first had and obtained.

SECT. IX. *And be it further enacted by the authority aforesaid*, That the company shall erect permanent bridges over all the waters crossed by the route or track of said road, wherever it shall be found necessary; and shall cause a road to be laid out and open, not less than forty feet nor more than sixty in width, and shall cause twenty-four feet thereof in breadth at least to be made an artificial road, which shall be bedded with stone, gravel or other proper and convenient materials well compacted together, a sufficient depth to secure a solid foundation for the same; and the said artificial road shall be faced with gravel or stone pounded, or other small hard substance, in such manner as to secure a firm, and, as nearly as the nature of the country and the materials will admit, an even surface rising towards the middle by a gradual arch, and so nearly level in its progress as not to rise nor fall more than four degrees from a horizontal line; with a good and sufficient summer road at the side thereof at such places as will admit of the same, and shall for ever hereafter maintain and keep the same in perfect order and repair.

Proviso;

Bridges to be erected.

Breadth of the road.
Twenty-one feet thereof to be artificial.

To be faced with stone, &c.

Middle of the road to be raised four degrees.

SECT. X. *And be it further enacted, by the authority aforesaid*, That so soon as the company shall have perfected two miles and a half of the said road, and so from time to time when any distance not less than two miles and a half shall be completed, they shall give notice thereof to the governor, who shall thereupon forthwith nominate and appoint three skilful and judicious persons to view and examine the same, and report to him whether the road is so far executed in a competent and workman-like manner, according to the true intent and meaning of this act; and if their report shall be in the affirmative, then the governor shall, by license under his hand and the lesser seal of the commonwealth, permit and suffer the said president, managers, and company to erect and fix such and so many gates or turnpikes upon and across the said road as will be necessary and sufficient to collect the tolls and duties hereinafter granted to the said company, from all persons travelling in the same with horses, cattle, carts, and other carriages; *Provided*, That the construction of said road shall be commenced and prosecuted both at the southern end, and north of Barrenhill at the same time, and no gate shall be

Notice to be given the governor when portions of the road are completed.

Who shall appoint viewers.

Tolls to be collected.

Proviso.

erected on any part of said road south of Barrenhill aforesaid, until at least five miles shall be completed north of said place.

Toll gatherers to be appointed.

SECT. XI. *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 or persons using the said road, the tolls and rates hereinafter mentioned, and to stop and detain any person riding, leading, or driving any horse, sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burthen or pleasure, or driving any cattle from passing through the said gates or turnpikes until they shall respectively have paid the same; that is to say, for every space of one mile passed in length of the said road, one half cent for every horse with a rider or leader or carrying or hauling a burthen, and for every mile in the length of said road passed as aforesaid, one cent for every horse hauling a pleasurable carriage or sleigh or sled for the carriage of persons; for every head of horned cattle, one half cent for every five miles; and for every sheep or swine, one half cent for every ten miles they may pass along said road; *Provided,* That said company may at their discretion regulate the tolls on broad wheeled carriages so as to reduce them below the sums hereby specified for each horse drawing the same, as said company may think it expedient; *And provided further,* That carriages drawn in whole or in part by oxen or mules, two oxen or mules shall be estimated as equal to one horse; *And provided further,* That for all fractional parts of toll not equal in value to any denomination of coin in circulation, the said company may take and receive the next highest circulating denomination; and for teams hauling marble drawn by more than five horses, the said company may take and receive double tolls; no toll shall be taken from any person passing from one part of his, her, or their farm to another, nor from persons attending funerals or riding in military procession.

Rates of toll.

Proviso.

Proviso, as to fractions of toll.

Penalty for avoiding any of the gates with a view to evade the payment of toll.

SECT. XII. *And be it further enacted by the authority aforesaid,* That if any person or persons riding in or driving any carriage of burthen or pleasure as aforesaid, shall with an intent to defraud the said company or to evade the payment of any of the tolls or duties aforesaid, pass therewith through any private gate or bar, or along or over any private passage way, or along or over any other ground or land near to or adjoining any turnpike or gate which shall be erected in pursuance of this act, or if any person or persons shall with the intent aforesaid take off or cause to be taken off any horse or other beast or cattle of draught or burthen from any carriage

of burthen or pleasure; or shall practise any other fraudulent means or device with the intent to evade or lessen the payment of any such toll or duty, all and every such person or persons offending in manner aforesaid, shall on conviction before any alderman of the city of Philadelphia or justice of the peace of the proper county, for every such offence forfeit and pay to the president, managers and company, any sum not exceeding ten dollars.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That if the said company shall neglect to keep the said road in good and perfect order and repair for the space of fifteen days, and information thereof shall be given to any justice of the peace of the proper county, such justice shall issue a precept to be directed to any constable, commanding him to summon three judicious freeholders to meet at a certain time in the said precept to be mentioned, at the place complained of in the said road, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto, and the said justice shall at such time and place by the oaths or affirmations of the said freeholders, inquire whether the said road or any part thereof is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made under the hands and seals of himself and a majority of the said freeholders, and if the said road shall be found by the said inquisition to be out of order and repair according to the true intent and meaning of this act, he shall certify and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates for the intermediate distance between them shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put into good and perfect order and repair as aforesaid; and if any of the keepers of the gates aforesaid, shall take or attempt to exact tolls for the intermediate distance aforesaid, such keeper shall forfeit and pay, on conviction before any alderman or justice of the peace of the proper county, for the use of the person prosecuting for the same, the sum of five dollars; but if the same shall not be put into perfect order and repair before the next ensuing court of quarter sessions of the proper county, the said justice shall certify and send a copy of the said inquisition to the justices of the said court, and the court shall thereupon direct a bill of indictment to be sent to the grand inquest, against the president and managers of said company, and upon conviction, shall give such judgment according to the nature and aggravation of the neglect as the said court in their discretion shall judge proper; *Provided,* The fine in no instance shall be less than ten dollars nor exceeding one hundred dollars; and

Proceedings on complaint of the road being out of repair.

Copy of the inquisition to be sent to each of the gate-keepers.

Payment of tolls to cease until the road be repaired.

Penalty on exacting tolls before the road is repaired.

Copy of the inquisition to be sent to the court of quarter sessions.

When the president, &c. may be proceeded against by indictment. Fine not to exceed 100 dollars.

How recoverable,
and appropriated.

the fines so to be imposed shall be recovered in the same manner as fines for misdemeanors are usually recovered in the said counties, and shall be paid to the supervisors of the highways of the place where the offence was committed, to be applied to repairing such highways as the township or county is bound to repair at the public expense thereof.

Penalty on exacting greater toll than is here-
in allowed.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That if any toll-gatherer shall demand and receive toll for a greater distance than the person from whom such toll is demanded shall have actually travelled along said turnpike road, or may actually travel between any gate and the gate next thereto less than the whole distance, or shall demand and receive a greater toll than he is authorized to receive by this act, such toll-gatherer shall, on conviction thereof before any alderman of the city of Philadelphia or justice of the peace of the proper county, forfeit and pay the sum of ten dollars for every such offence, to the use of the poor of the city, county, or district where the offence shall have been committed.

Account of receipts to be kept.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the president and managers of the said company shall keep fair and just accounts of all monies which may be received by them from the said commissioners and from the subscribers for the stock of the said company on account of their several subscriptions, and of all penalties for the delay in the payment thereof, and for the amount of the profit on the shares which may be forfeited as aforesaid, and also all monies by them to be expended in the prosecution of their said work; and shall at least once in every year submit such accounts to a general meeting of the stockholders until the said road shall be completed, and until all the costs, charges, and expenses of erecting 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 whenever the whole capital stock of the 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 said president, managers, and company at a stated or special meeting to be convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares in like manner and under the like penalties as are herein before provided for by the original subscription, or as shall be provided for by their by-laws.

And of expenditures.

And submit them to a general meeting, &c.

If the capital stock be insufficient, the number of shares may be increased.

Accounts to be kept of receipts of toll.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That the said president and managers shall also keep a true and just account of all the monies to be received by their se-

veral and respective collectors of tolls at the several gates or turnpikes on the said road from the beginning to the end thereof or such part thereof as shall from time to time be completed, or so much thereof as it may from time to time be deemed expedient to make and finish, shall make and declare a dividend of the clear profits and income thereof, all contingent costs and charges and a reasonable fund for repairs and for the progressive improvements and accomplishment of the said work being first deducted and reserved, among all the subscribers to the stock of the said company; and shall on the first Monday in February and August in every year, publish the half-yearly dividend to be made of the clear profits among the stockholders, and of the time and place when and where the same will be paid; and shall cause the same to be paid accordingly.

Dividend to be declared.
Fund for repairs, &c. to be reserved.

When dividends to be made.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That the said president and managers shall, at the end of three years from the date of the incorporation of said company, lay before the general assembly of this commonwealth, an abstract of their accounts showing the amount of their capital expended in prosecution of the said work and of the income and profits arising from the said toll for and during the said period; and at the end of three years after the said road shall be completed from the beginning to the end thereof, and at the end of every period of three years thereafter the said president and managers shall render to the general assembly a like abstract of their accounts for the three preceding years.

Abstract of the accounts of the company to be laid before the legislature triennially.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That the said company shall cause posts to be erected at the intersection of every public road falling into and leading out of the said turnpike road, with boards and an index hand pointing to the direction of said road on both sides, whereof shall be inscribed in legible characters the name of the town or place to which such road leads, and the distance thereof in computed miles; and shall also cause mile-stones to be placed on the side of said road, beginning at the distance of one mile from the intersection of Vine and tenth streets aforesaid, by the said turnpike company, whereon shall be marked in plain legible characters the respective number of miles which each stone is distant from the city of Philadelphia; and at every gate or turnpike by them to be erected on the said road shall cause the distance from the turnpike aforesaid, and the distance from the nearest gate or turnpike in each direction to be marked in legible characters, designating the number of miles and fractions of a mile on the said gates or some other conspicuous place near thereto; and also shall cause to be affixed at such place a printed list of the rates or toll which from time to time may lawfully be demanded for the information of travellers and others using the said road.

The company to erect index hands, &c.

and mile stones;

and to mark the distances, &c. upon the gates.

And affix a printed list of rates of toll.

Penalty on in-
juring mile-
stones, direction-
posts, &c.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully break, deface, pull up or prostrate any mile-stone which shall be placed in pursuance of this act on the side of the said road, or shall obliterate the letters or figures inscribed thereon; and if any person shall wilfully break, pull down, deface, destroy, or injure any direction post which shall be erected in pursuance of this act, at the intersection of any road as aforesaid, or the board or index-hand affixed thereto in conformity with the directions of this act; or if any person or persons shall obliterate the letters or figures inscribed or marked thereon, or shall destroy, deface, or obliterate the letters, figures, or other characters marked at any turnpike or gate which shall be erected in pursuance of this act, for all or any of the purposes therein mentioned, or the whole or any part of any written or printed list of the rate of tolls which shall be affixed in pursuance of the directions of this act at any such gate or turnpike, he, or they so offending in the premises, shall, and each of them on conviction before any alderman or justice of the peace of the city of Philadelphia, or of the proper county, for every such offence, severally and respectively forfeit and pay to the said president, managers and company, ten dollars; *Provided,* That the defendant does not settle and pay the damages before such suit is brought as aforesaid.

Proviso.

Waggoners, &c.
to keep to the
right.

SECT. XX. *And be it further enacted by the authority aforesaid,* That all waggoners, carters, and drivers of carriages of all kinds, whether of burthen or pleasure, using the said road, shall, except when overtaking and passing by a carriage of slower motion, keep their horses and carriage on the right hand side of the said road in the passing direction, leaving the other side of the said road free and clear for other carriages to pass and repass, and if any waggoner or carter or driver shall offend against this provision, he shall, on conviction, forfeit and pay any sum not exceeding ten dollars to any person who shall by reason thereof be obstructed in his passage and will sue for the same before any justice of the peace of the proper county, to be recovered with costs of suit.

Penalty for of-
fending against
this regulation.

Penalty on in-
fringing vexa-
tious and un-
founded prosecu-
tions under this
act.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That if in case of any suit or prosecution which shall be commenced under the direction of this act for any penalty incurred by the same, whether for or against the said company or any person or persons in their trust or assignees, the said suit or prosecution shall not be sustained by the plaintiff or prosecutor, then and in such case the person or persons prosecuted as aforesaid, shall recover by the judgment of the alderman or justice as the case may be, before whom such suit or prosecution shall be depending, such sum not exceeding the amount of the penalty for which the suit or prosecution shall be commenced, as shall by the said alderman or justice be

deemed a reasonable retribution for the vexation of such suit or prosecution.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That no suit or action shall be brought or prosecuted by any person or persons for any penalty incurred under this act unless such suit or action shall be commenced within three months after the fact committed; and the defendant and defendants in such suit or action may plead the general issue and give this act and the special matter in the evidence, and that the same was done in the pursuance and by the authority of this act.

All suits for penalties under this act to be brought within three months.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within three 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, in either of those cases it shall and may be lawful for the legislature of the commonwealth to resume all and singular the rights, liberties, privileges and franchises, by this act granted to the said company.

Work to be begun in three and completed in seven years.

Penalty on non-compliance.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That if the legislature of this commonwealth should at any time after the year one thousand eight hundred and thirty, think proper to take possession of the said road, three persons shall be chosen by the governor of the commonwealth, and three by the president and managers of the company, and three by the judges of the supreme court, who, or any six or more of them, shall proceed to examine and estimate the value of the property which the said company have therein, and a majority of whom shall certify the amount thereof to the governor who shall cause the same to be laid before the legislature at their next session; and whenever the amount so certified shall be paid, the right of the said company to take toll on the said road together with all their right, title, claim, and interest therein, shall cease and determine.

After the year 1830, the legislature may free the road.

How the value thereof shall be ascertained.

Governor to lay the proceedings before the next legislature. When toll shall cease.

JOHN WEBER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the thirtieth day of March, one thousand eight hundred and eleven.

SIMON SNYDER.