

and for the performance of the powers hereby granted : *Provided* Proviso.
always, that nothing in this act contained shall be so construed
as to affect or prejudice any legal right, title, interest or claim,
other than those herein mentioned.

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

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

APPROVED—the eleventh day of January, one thousand eight
hundred and twelve.

SIMON SNYDER.

CHAPTER III.

*An ACT making an appropriation for laying out and opening a road
in Huntingdon county.*

SECT. 1. *BE it enacted by the senate and house of representa-*
tives of the commonwealth of Pennsylvania, in general assembly met,
and it is hereby enacted by the authority of the same, That the sum of Eight hun-
eight hundred dollars be and the same is hereby appropriated to dred dollars
be paid to the commissioners of Huntingdon county, for laying to be paid to
out and opening a road from the borough of Huntingdon to the the commis-
town of Williamsburgh, out of any monies in the treasury not sioners of
otherwise appropriated, subject to the same regulations and re- Huntingdon
strictions as are contained in the twenty-ninth and thirtieth sec- county for
tions of an act, entitled “ An act making appropriation for cer- opening a
tain internal improvements,” passed the second day of April, one road, &c.
thousand eight hundred and eleven. Regulations
and restric-
tions.

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

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

APPROVED—the eleventh day of January, one thousand eight
hundred and twelve.

SIMON SNYDER.

CHAPTER IV.

*An ACT to enable the governor to incorporate a company for
making an artificial road from the Philadelphia and Lancaster
turnpike, commencing at or near the twenty-six mile
stone; thence through the borough of West Chester, and pas-
sing by or near Darlington's inn and Dilworth's town to the
line of the state, in a direction towards the borough of Wil-
mington.*

SECT. 1. *BE it enacted by the senate and house of representa-*
tives of the commonwealth of Pennsylvania, in general assembly met,
and it is hereby enacted by the authority of the same, That George Commission
Ashbridge, Thomas Hoopes, Philip Price, Joseph H. Brinton, ers appointe-

and Joseph Taylor, of Chester county; Thomas H. Brinton, John Painter, Nathan Sharpless, and Thomas Speakman, of Birmingham of Delaware county; 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 Monday in May next, procure one or more books, and in each of them enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers, and company of the Great Valley and Wilmington turnpike road, the sum of twenty-five dollars for every share of stock in said company set opposite our respective names, in such manner and proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An act to enable the governor to incorporate a company for making an artificial road from the Philadelphia and Lancaster turnpike, commencing at or near the twenty-six mile stone; thence through the borough of West-Chester, and passing by or near Darlington's inn and Dilworth's town, to the line of the state in a direction towards the borough of Wilmington." Witness our hands this day of , in the year of our Lord, eighteen hundred and and shall thereupon give notice in one of the public papers printed in the borough of West Chester and Wilmington, respectively, for one calendar month at least, 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 two 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 name or the 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, or until the said books shall have one thousand two hundred shares therein subscribed; and if at the expiration of the said six 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 said 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 five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions and other incidental charges, and the remainder shall be paid to the trea-

Books to be procured. Entry therein.

Notice of the opening of the books to be given.

Two of the commissioners to attend. Who may subscribe.

How long the books to be kept open. Of adjournments.

Notice to be given.

When 1200 shares are subscribed, the books to be closed. Five dollars to be paid on each share on subscribing. Appropriation of

surer of the corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

SECT. II. *And be it further enacted by the authority aforesaid,* That when forty persons or more shall have subscribed six hundred shares or more of the said stock, the said commissioners 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 subscriptions 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 name, style and title of, "The president, managers and company of the Great Valley and Wilmington turnpike road;" and by the same 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 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, 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.

When the subscribers may be incorporated.

Subscriptions to be certified to the governor.

Who shall issue his letters patent.

Style of the corporation.

Its privileges and franchises.

SECT. III. *And be it further enacted by the authority aforesaid,* That the commissioners herein before named, shall as soon as conveniently may be after the said letters patent shall be obtained, give twenty days notice in the public papers aforesaid, of the time and place by them appointed for the said subscribers to meet in order to organize the said corporation; and to choose by a majority of votes of the said subscribers, by ballot, to be delivered in person or by proxy duly authorized, which proxy shall have been obtained and bear date within twelve months previous to the election at which such proxy shall be presented, and that no right of transfer or extension shall be admitted of such proxy, one president, twelve managers, one treasurer, and such other officers as shall be deemed necessary to conduct the business of the said company, until the second Monday in the next succeeding January, and until like officers shall be chosen; and may make such by-laws, rules, orders and regulations as do not contravene the constitution and laws of the United States or of this commonwealth, and may be necessary for the well governing the affairs of the said corporation: *Provided always.* That no person shall have more than five votes at any election, or in de-

Notice to be given of organizing the company.

Officers to be chosen.

Powers of.

No person to have more

than five
votes, &c.

termining any question arising at said 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 that number.

Meetings of
the company.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said company shall meet on the second Monday in November in every year, at such place as shall be fixed by the by-laws, for the purpose of choosing such other 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 made as aforesaid; and to do and perform any other corporate act.

Of by-laws,
&c.

Certificates
of stock to be
issued.

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers first chosen as aforesaid, 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 subscribed and held, he paying five dollars for each share; which certificate shall be transferable at his pleasure, in person or by attorney duly authorized, in the presence of the president or treasurer, subject however to all payments due or 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 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 capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Price of
shares.
Stock to be
transferable.

Transfers to
be registered.

Privileges of
assignees.

Seven mem-
bers to be a
quorum.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the said president and managers shall meet at such times and places as shall be ordained by their by-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, superintendants, 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 the materials: *Provided*, that such drafts do not exceed the sums deposited by the company; and such orders be signed by the pre-

Powers of.

Proviso.

sident, 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 their by-laws, rules, orders and regulations of the company, they shall be authorized to do.

SECT. VII. *And be it further enacted by the authority aforesaid,* Penalty on neglecting to pay instalments.
That if after thirty days notice in the public papers aforesaid, 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 dividends so called for, pay at the rate of five 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, the said president and managers may at their election cause suit to be brought in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid : *Provided always,* that the recovery in any suit shall in no case exceed the amount of such instalment or instalments, as may be due on such share, together with such accumulated penalty at the rate aforesaid, as shall equal the sums before paid on the same share : *And provided also,* 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. VIII. *And be it further enacted by the authority aforesaid,* Lands, &c. may be entered upon, to mark the route of the road and search for materials.
That it shall and may be lawful to and for the said president and managers, their superintendants, surveyors, engineers, 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 tract for the said road as in the best of their judgment and skill will combine shortness of distance, with the most practicable ground from the Philadelphia and Lancaster turnpike road, at Points of the road.
or near the twenty-six mile stone, and to extend thence through

the borough of West-Chester, and passing by or near Darling-ton's inn and Dilworth's town to the line of the state, in a direc-tion towards the borough of Wilmington in the state of Dela-ware, so as to communicate with a contemplated artificial road ; to extend thence the nearest and best practicable course to the borough aforesaid, to be authorized by a law of that state.

Lands may be entered on and materials taken.

Notice to be given, and compen-sation.

How to be fixed.

Proviso.

Width of the road.

How to be made.

levation of.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the said president and managers, by and with their super-intendants, engineers, artists, workmen and labourers, with their tools, instruments, carts, waggons and other carriages, and beasts of draft 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 doing as little damage thereto as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any dam-ages 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 any disin-terested justice of the peace of either Chester or Delaware coun-ties ; and upon tender of the appraised value, may cut, dig, take and carry away, any timber, stone, gravel or other materials, there being most conveniently situate for making or repairing the said road : *Provided,* that 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 session of the proper county, which shall appoint six fit and dis-interested freeholders who shall assess and determine, and under their oaths or affirmations report to the said court what damages 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 ac-crue to such owner by reason of so making and establishing the same.

SECT. X. *And be it further enacted by the authority aforesaid,* That the said president, managers and company shall cause a road to be laid out as aforesaid, fifty feet in width, and at least twenty feet thereof to be made an artificial road, bedded with wood, stone, gravel, or any other hard substance well compacted together, and of sufficient depth to secure a solid foundation to the same ; and the said road shall be faced with gravel or stone pounded, or other small hard substance, in such manner as to secure a firm, and as near as the materials will admit, of an even surface, and so nearly level in its progress as that it shall in no place rise or fall more than will form an angle of four and a half degrees with a horizontal line ; and shall forever after maintain and keep the same in good and perfect order and re-pair : and the said president, managers and company shall have

power to erect permanent bridges over all the waters crossing the said road. Bridges to be erected.

SECT. XI. *And be it further enacted by the authority aforesaid,* That so soon as the said president, managers and company shall have perfected the said road, for the distance of five miles aforesaid, and also when they shall have completed each succeeding section of five miles, likewise when the remainder shall be finished, they shall give notice thereof to the governor, who shall thereupon forthwith nominate and appoint three disinterested persons to view and examine the same, and 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 and suffer the said president, managers and company to erect and fix so many gates or turnpikes upon and across the said road, as will be necessary and sufficient 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 and to lands they occupy; provided the distance be not more than one mile, or to and from any place of 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. When 5 miles are completed, viewers to be appointed.

SECT. XII. *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 herein after mentioned; and to stop any person riding, leading or driving any cattle, hogs or sheep, or driving any coach, coachee, sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burden 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 distance actually travelled, or for any greater or less number of sheep, hogs or cattle, *to wit*: For every score of hogs, six cents; for every score of sheep, six cents; for every score of cattle, twelve cents; for every horse and his rider, or led horse, three cents; for every sulkey, chair or chaise with one horse and two wheels, six cents; and with two horses, nine cents; for Gates to be erected for the collection of tolls.

Who shall be exempted from toll.

Toll-gatherers to be appointed.

Powers of.

Rates of toll.

every chariot, coach, phaeton or chaise with four wheels and two horses, twelve 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 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, four cents for each horse drawing the same ; for every cart or waggon the wheels of which shall exceed in breadth four inches and not exceed 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 their 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 authorized 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 highways 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.

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 five days, and information shall be given thereof to any justice of the peace of the neighbourhood 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 per-

Penalty on defrauding the company.

Penalty for the exaction of illegal toll.

How appropriated.

Proceedings to be had when the road is out of repair.

sons 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, inquire whether the said road or any part thereof is in such good and perfect order and repair as aforesaid, and if upon such inquiry 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 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 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 intrusted by the said company with the care and superintendence 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 exceeding one hundred dollars; and the fines 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 wherein the offence was committed, to be applied to repairing the highways and public roads therein.

Penalty.

How recovered.

SECT. XIV. *And be it further enacted by the authority aforesaid*, That if any person or persons whosoever, owning, riding in, or driving any sulkey, chair, chaise, phaeton, cart, waggon, sleigh, sled or other carriage of burden 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

Penalty for evading the payment of toll.

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, wain, sleigh, sled or other carriage of burden or pleasure, or practise any other fraudulent means or device with the intent that the payment of any such toll or duty shall be evaded or lessened, all and every such person or persons in all and every or any of the ways or 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 costs of suit before any justice of the peace in like manner, and subject to the same rules and regulations as debts of a similar amount may be sued for and recovered.

How to be re-
covered.

Account of
receipts to be
kept ;

and of expen-
ditures :

and to be an-
nually sub-
mitted to the
stockholders.

Number of
shares may
be increased.

Account of
tolls to be
kept.

Dividends to
be declared
and paid.

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 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 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 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 their by-laws.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That the said president, managers and company, shall also keep a just and true account of all the monies received by their several and respective collectors of tolls, at the several and 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 all the subscribers to the said company's stock, all contingent costs and charges being first deducted ; and shall on the second Monday in November and May in every year, publish the half-yearly dividend made of the said

clear profits among the stockholders, and the time when and place where the same will be paid, and shall cause the same to be paid accordingly.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That the said president and managers 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 at the end of the said one year, that the said clear income and profits will not yield a dividend of six per cent. per annum on the 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 thereof 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.

Accounts of the company to be laid before the legislature.

When the tolls may be increased,

and reduced.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That the said president and managers shall cause posts to be erected and continued at the intersection of every public road falling into or leading out of the said turnpike road, with a board and index hand pointing to the direction of such road, on both sides thereof shall be inscribed in legible characters, the name of the town, village or place to which such road leads, and the distances thereof in measured or computed miles.

Direction boards to be erected;

SECT. XIX. *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 at each gate, a printed list of the rates of toll which may lawfully be demanded, for the information of travellers and others using the said road; and if any person or persons shall wilfully destroy the said posts, boards, index-hands or mile-stones as aforesaid, or shall without permission of the acting superintendent 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 mould, dirt, shavings, weeds or rubbish of any kind, such person or per-

and mile-stones.

A list of tolls to be affixed, &c.

Penalty on injuring or destroying.

sons 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 of the said company for the use of the said company.

How recoverable.

Drivers of carriages to keep to the right side.

Penalty for neglect.

When the road shall be carried on,

and completed.

Penalty on failure.

SECT. XX. *And be it further enacted by the authority aforesaid,* That all waggoners and drivers of carriages of all kinds, whether of burden or pleasure, using the said road, shall, except when passing by a carriage of slower draught, keep their 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 by law recoverable.

SECT. XXI. *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 legislature of the state of Delaware shall authorize and empower the making of a like artificial road, by the same company, from the place where the road herein authorized shall strike the line of that state, thence by the nearest and most practicable route to the borough of Wilmington in said state; or shall not within ten 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 to the said company, shall revert to this commonwealth.

JOHN TOD, *Speaker*

of the House of Representatives.

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

APPROVED—the seventeenth day of January, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER V.

An ACT confirming the title of John Gamble, late an alien, to a certain piece of land in the county of Luzerne.

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 the title of John Gamble, of the township of Springfield, in the county of Luzerne, late an alien, to a certain tract of land, containing

Title of John Gamble to a