

ant shall have appeared) to be paid to the libellant or informer, in case the libel or information shall not have been exhibited by or for the attorney general, and the other half to be paid to the guardians of the poor for the city, district or township in which the offence may have been committed; but in case the libel or information shall have been exhibited or filed by or for the attorney general, then the whole of the money remaining in court, making deduction as aforesaid, to be paid to the said guardians of the poor as aforesaid.

SECT. 7. *And be it further enacted by the authority aforesaid,* That no action shall be brought against any person for seizing, detaining or selling any horse, mare or gelding by virtue of this act, until it shall have been finally determined by the proper court wherein such horse, mare or gelding be or lie. To whom forfeitures shall be paid.
 be not forfeited, and no writ of replevin shall issue for any horse, mare or gelding which may have been seized, detained and sold as aforesaid: *Provided, however,* That if no proceedings be instituted for the recovery of the forfeiture during the term of the court of common pleas next succeeding the time of the seizure, then and in such case any person aggrieved by the said seizure and detainer, may have and maintain his action therefor; and in case of a sale having taken place, such person, upon satisfying the court that at the time of the seizure he was the true owner of such horse, mare or gelding, shall be permitted to take out of court the proceeds of such sale. In what case no action can be sustained.

REES HILL, *Speaker of the
House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-second day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER XCIX.

AN ACT

Granting a review of part of the state road from Indiana to Pittsburg, and for other purposes.

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 the court of quarter sessions of the county of In-

Road from
Indiana to
Pittsburg to
be laid out.

Two drafts of
the road to
be made.

diana be, and they are hereby authorised and required to appoint five suitable and disinterested persons, one of whom shall be a practical surveyor, to review that part of the state road from the borough of Indiana to the city of Pittsburg (laid out by certain commissioners appointed for that purpose, pursuant to the act of Assembly, passed the twenty-fifth day of March, eighteen hundred and fourteen) which lies within the county of Indiana; and if upon the report of the said reviewers, or any four of them, making any alterations in the route of said road, the court shall approve of the same, a draft, with the courses and distances of said court, shall be filed in the office of the clerk of the said court, and a duplicate thereof transmitted to the Secretary of the Commonwealth; and the road so laid out and approved of, shall be a part of the state road aforesaid, and with the remaining parts of said road are hereby confirmed, and that part rendered unnecessary by such report, is hereby vacated.

Confirmation
of a road from
Indiana to
Pittsburg.

When the
commission-
ers shall pro-
ceed to lay
out said road.

SECT. 2. *And be it further enacted by the authority aforesaid,* That so much of a certain other road from the borough of Indiana to the city of Pittsburg aforesaid, laid out by commissioners appointed in pursuance of the act of Assembly, passed the eighteenth of February, one thousand eight hundred and thirteen, as lies between the said borough of Indiana and the Kishkaminitus river, at or near the mouth of Loyalhanna creek, be, and the same is hereby confirmed, and that the Governor is hereby authorised and required to appoint three suitable persons, one of whom shall be a practical surveyor, to lay out and mark a road from the bank of the Kishkaminitus river, opposite the point where the last mentioned road intersects the said river, thence the nearest and best route to the city of Pittsburg; and the said commissioners shall proceed to perform the said service at such time as the Governor shall direct, and they shall deposit a copy of the draft of the said road in the office of the clerk of the court of quarter sessions in each county through which the said road shall pass, and the said clerks respectively shall enter the same on the records of the county, which shall be a competent record of the said road, which from thenceforth shall be, to all intents and purposes, a public highway, and shall be opened and kept in repair in the same manner as other roads laid out by the authority of the courts in each county.

Commission-
ers to lay out
a road from
M^cCall's fer-
ry to the state
line.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the Governor be, and he is hereby authorised to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a road, beginning at the west end of the bridge lately erected over the Susquehanna at M^cCall's ferry, thence pursuing the nearest and best route, in a direction to the city of Baltimore, to the state line, at the point where the turnpike road laid out and located by the Baltimore and Hartford turnpike company shall connect therewith; and the commissioners so appointed shall proceed at

such time as the Governor shall direct, to lay out and mark a road of the width of fifty feet, on the route as above mentioned, and shall make an accurate survey and draft thereof, and shall deposit a copy in the office of the clerk of the court of quarter sessions of York county, who shall enter the same as a record thereof, and the company incorporated by the Legislature of Maryland, and known by the name, style and title of "The Baltimore and Hartford turnpike company," are hereby authorised to open the same and keep it in repair.

Width of the road.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the said commissioners shall receive two dollars for every day they shall be employed in the service aforesaid, with a reasonable compensation for other incidental expenses, which shall be paid by the counties respectively through which the said roads shall pass, in proportion to the distance of said roads in each county.

Compensation of commissioners.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-second day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER C.

AN ACT

To legalise and make valid the judicial acts of justices of the peace who have accepted of appointments under the United States, incompatible with their offices, and for other purposes.

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 all official acts of any justice of the peace in this Commonwealth, who has heretofore accepted of any office or appointment incompatible with his said office of justice of the peace, and shall have thereafter acted as a justice under the laws of this Commonwealth, shall be valid in law, and shall have the same force and effect; to all intents and purposes, as if he had never accepted of any office or appointment under the United States: *Provided,* That nothing in this act shall be so construed as to exonerate the said justices from the

Certain acts of justices of peace made valid.

Proviso.