

Same powers that are granted to Chambersburg and Bedford company.

Proviso.

in the best of their judgment and skill will combine shortness of distance with the most practicable ground from the state line, in the county of Bedford, through Warfordsburg, to intersect the Chambersburg and Bedford turnpike road on the east side of Juniata, and generally they shall have the like powers, authorities and privileges, necessary for carrying on and completing the said turnpike road, as well as for all the subsequent concerns of said corporation and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits in proportion to the distance, as are given and granted to the president, managers and company of the Chambersburg and Bedford turnpike road, and be permitted to make the road in the manner in which the eastern turnpikes are generally made or to pave it with stone, at their option: *Provided*, If the company shall not proceed to carry on their work within five years after the passing of this act, or shall not within ten years afterwards complete the said road according to the true intent and meaning of this act, then and in either of those cases, all and singular the rights, liberties and franchises hereby granted to the said company, shall revert to this Commonwealth.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the seventeenth day of February, one thousand eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER XX.

AN ACT

Against horse racing.

Horse racing a common nuisance.

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 racing, running, pacing or trotting of horses, mares or geldings, for money, goods or chattels or other valuable things, shall be, and hereby are declared to be common nuisances and offences against this state, and the authors, parties, contrivers and abettors thereof, shall be prosecuted and proceeded against by indictment.

SECT. 2. *And be it further enacted by the authority aforesaid,* That each horse, mare or gelding used or employed by the owner thereof or with his consent, in any race on which any bet or wager shall have been laid, or any purse or stakes shall have been made, shall be liable to be forfeited to the proper county within which such horse, mare or gelding so forfeited shall have been employed contrary to the foregoing provisions; and the said horse, mare or gelding so forfeited shall at any time within two months thereafter be seized by any overseer of the poor or supervisor of the highways of the township in which such race shall have been run, or by the sheriff or any of his deputies of the county within which such township shall be situate; and in case of seizure as aforesaid, the officer so seizing shall make information thereof to the next court of common pleas for the county, and such court shall proceed to hear and decide upon such seizure; and in case such horse, mare or gelding shall have been adjudged to be forfeited, such court shall order a sale thereof at public auction, and shall direct the proceeds after the costs of condemnation shall have been deducted, to be paid to the treasurer of the proper county.

Forfeiture of the horse.

Forfeited horse may be seized within two months.

Information of seizure to be given to next court of common pleas.

SECT. 3. *And be it further enacted by the authority aforesaid,* That all wagers and bets which shall have been laid, betted or made on the racing, running, pacing or trotting of horses, mares or geldings, and all promises, agreements, notes, bills, bonds, contracts, judgments, mortgages or other securities, or conveyances, which shall have been made, given, granted, drawn, entered into or executed by any person or persons where the whole or any part of the consideration thereof shall be, for any money, goods, chattels or other thing won, laid or betted on the running, racing, trotting or pacing of any horses, mares or geldings, shall be utterly void and of no effect.

Wagers, bets, &c. void.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person who shall lose money, goods or chattels, or any other valuable thing on the racing, running, pacing or trotting of horses, mares or geldings, and shall pay or deliver the same or any part thereof to the winner or other person for his use or in his behalf to recover the same or the value thereof from such winner, with costs by action of debt or on the case in any court of record having cognizance thereof: *Provided always,* That such suit shall have been instituted within two calendar months after such losing and payment and delivery as aforesaid.

Loser may recover back.

Proviso.

SECT. 5. *And be it further enacted by the authority aforesaid,* That if any person shall contribute to, or collect, or shall ask or desire any other person to contribute or to collect any money, goods or chattels to make up a purse, plate or other thing to be run, paced or trotted for as aforesaid, at any place

Thirty dollars forfeiture for making up a purse.

within this commonwealth such person so offending shall forfeit and pay the sum of thirty dollars for each offence.

Twenty dollars for forfeiture for advertising a race.

SECT. 6. *And be it further enacted by the authority aforesaid,* That if any person or persons within this state shall print, or cause to be printed, set up, or cause to be set up, any advertisement mentioning the time and place for the running, pacing or trotting of any horses, mares or geldings, or shall knowingly suffer any advertisement as aforesaid to be set up in or upon his, her or their dwelling house, or out houses, or shall knowingly suffer the same to remain up as aforesaid, every person so offending shall forfeit and pay the sum of twenty dollars.

Mode of recovering forfeitures.

SECT. 7. *And be it further enacted by the authority aforesaid,* That each and all of the penalties specified in the fifth and sixth sections of this act, shall be sued for and recovered by the overseer or overseers of the poor of the township wherein the offence shall have been committed, in the name of such township within two calendar months thereafter by action of debt with cost of suit in any court having cognizance thereof, and the proceeds thereof shall be applied to the use of the poor of the said township, and in case there shall not be in any county or counties, overseers of the poor, then and in that case it shall be the duty of the supervisor or supervisors of the highways of the proper township, and they are hereby required to execute the duties hereinbefore directed to be performed, and in that case the proceeds thereof shall be applied to the improvement of the roads of said township:

Forfeitures for use of the poor or roads.

And it is hereby declared to be the special duty of every such overseer of the poor or supervisor of the highways, on his own knowledge of the fact, or on information thereof by any person or persons, without delay to institute and prosecute to effect each and every such suit or suits, under the penalty of ten dollars for each default, to be recovered by any person or persons who shall sue for the same by action of debt with costs of suit, and in case any suit or suits so to be brought by the said overseer or overseers of the poor, and supervisor or supervisors of the highways shall fail, the costs that may be payable by him or them, shall be paid or reimbursed out of any monies appropriated for the use of the poor or for the improvement of the public highways.

Duty of overseer or supervisor to give information.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the said overseer or overseers, and supervisor or supervisors shall be entitled to retain in his or their hands, twenty-five per centum on all sums which he or they may receive by virtue of this act, as a compensation for his or their trouble.

On failure of suit costs to be paid.

SECT. 9. *And be it further enacted by the authority aforesaid,* That so much of the act passed on the twenty-second day of April, one thousand seven hundred and ninety-four, entitled "An act for the prevention of vice and immorality and of unlawful gaming, and to restrain disorderly sports and

Twenty-five per centum commission for overseer or supervisor.

Repeal of former acts.

dissipation," as is hereby altered or supplied be and the same is hereby repealed.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the seventeenth day of February, one thousand eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER XXI.

AN ACT

For the relief of Jane Godfrey.

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 State Treasurer be and he is hereby required to pay to Jane Godfrey, of Cumberland county, widow of William E. Godfrey, a captain of artillery in the revolutionary war, or to her order, the sum of sixty dollars immediately, and an annuity of sixty dollars to commence on the first day of January, eighteen hundred and twenty, to be paid half yearly during her widowhood, which shall be in lieu of a tract of donation land which her said husband was entitled to.*

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the seventeenth day of February, one thousand eight hundred and twenty.

WILLIAM FINDLAY.