

No. 202.

A SUPPLEMENT

To an act, entitled "An Act enabling the governor to incorporate a company for making an artificial road from the state line near the town of Emmettsburg, in the state of Maryland, through Waynesburg, Green Castle and Mercersburg, to intersect the Chambersburg and Bedford turnpike road at or near the east end of M'Connellsburg," approved the twenty-ninth day of January, Anno Domini one thousand eight hundred and sixteen.

SECTION 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 hereafter all proceedings against the president, managers and company of the Waynesburg, Green Castle and Mercersburg turnpike road, for any neglect or refusal to keep their road in good traveling order and repair, or for the non-payment of any judgment, fine or penalty inflicted on them for the same, shall be commenced and prosecuted according to the provisions of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of an act of Assembly, entitled "An Act regulating turnpike and plank road companies," approved January the twenty-sixth, one thousand eight hundred and forty-nine.

Provisions of certain act made applicable to this company.

Penalty for injuries to road.

SECTION 2. That it shall not be lawful for any person or persons to drag logs, stone, or other material chained to or under any wagon or carriage along or over said road, so as to tear up or injure the said road, nor to lock any wagon or carriage wheel with a chain, or other fixture, so as to cause the same to remain stationary whilst descending the mountains or hills on said road, under a penalty of ten dollars for each and every violation of the provisions of this section, recoverable with costs of suit as debts of like amount are now recoverable, before any justice of the peace of the proper county; one-half thereof for the use of the informer, (who is hereby declared to be a competent witness in the case,) and the other half for the use of the said company.

Construction of 11th section of the act to which this is a supplement.

SECTION 3. That the proviso contained in the eleventh section of the act to which this is a supplement, which declares "that no toll shall be demanded or taken from any person passing or repassing from one part of his or her farm to another," shall not be construed so as to allow persons to make use of said road, beyond the limits of their farms, without paying toll for the same.

Payment of tolls, regulated in certain cases.

SECTION 4. That it shall not be lawful for any person or persons residing at or near any of the toll gates erected on said road, to enter the said road on either side of the said gate, and make use of the same beyond the limits of his, her, or their farm, without paying the usual tolls to the said company; and if the said person or persons, or any other person or persons shall so enter upon and use the said road, or shall make use of any private road, way, or passage to get around any toll gate, he, she, or they shall not only be liable to the said company for the regular tolls for the distance actually traveled by them, respectively, on said road, to be recovered as debts of like amount are by law recoverable, but shall also be liable to the penalties provided in the fourteenth section of the act to which this is a supplement, against persons attempting to evade the payment of the tolls charged by said company

SECTION 5. *Such portions of the act to which this is a supplement, Repeal, as are inconsistent with the provisions of this act, be and the same are hereby repealed.*

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 203.

AN ACT

To open Scheetz's street, in the district of Southwark, in the county of Philadelphia.

SECTION 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 Scheetz's street, in the district of Southwark, in the county of Philadelphia, and state of Pennsylvania, shall be opened as such street is described in the report of the jurors, on the fourth of January, one thousand eight hundred and forty-four, in favor of opening the same, and confirmed by the court of quarter sessions of the said county, on the fourth of June, one thousand eight hundred and forty-six.*

SECTION 2. *The damages sustained by the opening of the said street shall be paid out of the funds of the said county of Philadelphia, to wit: four thousand seven hundred and fifty dollars, as assessed by a jury of the county of Philadelphia, duly sworn or affirmed, October twenty-third, one thousand eight hundred and forty-six, and returned to the judges of the court of general quarter sessions for the city and county of Philadelphia, on said day and year, and agreed and approved by the commissioners of said county, April second, one thousand eight hundred and forty-seven: Provided, That an appropriation therefor, shall first be made by the county board.*

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.