

## CHAPTER MDCCCXCIV.

1798.

An ACT for continuing the present salaries of the Judges of the Supreme Court, the Secretary of the commonwealth, and the Presidents of the Courts of Common Pleas. (f)

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 Judges of the Supreme Court, the Secretary of the commonwealth, and the Presidents of the Courts of Common Pleas, shall continue to hold and receive the salaries at present allowed to them by law, as a compensation for their services.

Continuance of the salaries of the Judges and Secretary.

Passed 4th April, 1798.—Recorded in Law Book No. VI. page 293.

(f) The salary of the Chief Justice of the Supreme Court is £. 1000 per annum; of the Assistant Judges of the same £. 750 each, per annum; and four dollars a day each, for travelling expenses; of the Secretary of the commonwealth £. 750: and of the Presidents of the Courts of Common Pleas £. 600 each.—See ante. page 26, chap. 1563. The salary of the President of the first district is £. 750 per annum.

## CHAPTER MDCCCXCVII.

A further SUPPLEMENT to the act, entitled "An Act for making an artificial road from the city of Philadelphia to the borough of Lancaster." (Ante. page 82.)

FOR the more effectual preventing evasions of the salutary regulations intended in and by the act for making an artificial road from the city of Philadelphia to the borough of Lancaster:

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 if any person or persons whatsoever, owning, riding in, or driving any sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burthen or pleasure, or owning, riding, leading or driving any horse, mare, gelding, hogs, sheep, or other cattle, shall therewith pass through any private gate or bar, 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 the act, to which this is a supplement, with an intent to defraud the company, and evade the payment of the toll or duty for passing through any such gate or turnpike; or if any person or persons shall, with such intent take off, or cause to be taken off, any horse, mare, gelding, or other cattle, from any sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burthen or pleasure, or practise any other fraudulent means or device, with the intent that the payment of any such toll or duty may be evaded or lessened: or if any person or persons having, claiming or taking the benefit of any exemption or privilege, by virtue of this act, or of the said recited act, or any clause, matter or thing herein or therein con-

Penalty for passing through private gates or bars, with intent to defraud the turnpike;

or taking horse, &c. from carriages;

or practising any other fraudulent device; or wrongfully claiming or abusing exemptions.

1798. tained, not being entitled thereto, or committing any fraud or abuse thereof, either by him, her or themselves, or by giving any licence to any other person or persons not entitled to such privilege or exemption, whereby, or by means whereof, the said tolls or duties might be lessened or evaded, or with any such intent; all and every person and 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 Philadelphia and Lancaster turnpike road, any sum not less than four, nor more than fifteen 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 under twenty pounds may be sued for and recovered.

Penalty for defacing or breaking mile-stones or direction posts;

SECT. II. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully break, deface or pull up any mile-stone placed, or which shall be placed, in pursuance of the said recited act, on the side of the road laid out in pursuance thereof, or shall obliterate the letters or figures inscribed thereon, or therein; or if any person or persons shall break, pull down, destroy or injure any post erected, or to be erected, in pursuance of the said recited act, at the intersection of any road falling into and leading out of the said turnpike road, or the board or index-hand affixed thereto, in conformity to the directions of the said recited act; or if any person or persons shall obliterate the letters or figures inscribed or fixed thereon; or if any person or persons shall destroy or obliterate, or in any wise injure or deface the letters, figures, or other characters marked at any turnpike or gate erected, or to be erected, in pursuance of the said recited act, for all or any of the purposes therein mentioned, or the whole, or any part or parts of any printed list of the rates of tolls affixed, or to be affixed, in pursuance of the directions of the said recited act, at any such gate or turnpike; he, she or they so offending in the premises, shall, and each of them shall, for every such offence, severally and respectively forfeit and pay to the said President, Managers and Company, the sum of twenty dollars, to be sued for and recovered, with costs of suit, before any Justice of the Peace, in like manner as aforesaid.

or turnpike gates.

Scales and weights to be established at the turnpike gates.

SECT. III. *And be it further enacted by the authority aforesaid,* That for the purpose of ascertaining the weight that may be drawn along the said road in any cart, waggon, or other carriage of burthen, it shall and may be lawful for the said President, Managers and Company to erect and establish scales and weights, at or near such and so many of the gates erected, or to be erected, in pursuance of the said recited act, as they may think proper; and where there may seem reasonable cause to suspect that any cart, waggon, or other carriage of burthen, carries a greater weight than is or shall be by law allowable, for their toll-gatherers, or other persons in their service or employment, to prevent the same from passing such gate or turnpike, until such cart, waggon, or other carriage of burthen, shall be drawn into the scales fixed or erected at or near any such gate or turnpike, and the weight or burthen drawn therein ascertained by weighing; and if the person or persons driving or having care

When and how carriages of burthen shall be weighed.

or charge of any such cart, waggon, or other carriage of burthen, shall refuse to drive the same into any such scales, for the purpose aforesaid, the person or persons so refusing shall forfeit and pay to the said President, Managers and Company, any sum not less than five nor more than ten dollars, to be recovered in the manner herein before mentioned. 1798.  
Penalty on refusing to suffer the same to be weighed.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any action or suit shall be brought or prosecuted by any person or persons, for any thing done in pursuance of this or the said recited act, or former supplement thereto, in relation to the premises, every such suit or action shall be commenced within six months next after the fact committed, and not afterwards; and the defendant or defendants in such action or suit may plead the general issue, and give this and the said recited act, and former supplement, and the special matter in evidence, and that the same was done in pursuance and by the authority of this and the said recited act, and former supplement; and this act shall be and continue in force during the term of two years, and no longer. (g.) Limitation of suits under the turnpike acts,  
Pleadings in suits.

Passed 4th April, 1798.—Recorded in Law Book No. VI. page 277.

(g.) Extended for seven years, by made perpetual, by act of 11th April, act of 11th April, 1799, (chap. 2081.) 1807, (chap. 2853.)

## CHAPTER MDCCCXC VIII.

*An ACT limiting the time, during which judgment shall be a lien on real estate, and suits may be brought against the sureties of public officers.* [See the act for prevention of frauds and perjuries, vol. 1, p. 389.]

WHEREAS the provision heretofore made by law for preventing the risque and inconvenience to purchasers of real estate, by suffering judgments to remain a lien for an indefinite length of time, without any process to continue or revive the same, hath not been effectual: Therefore,

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 no judgment now on record in any court within this commonwealth shall continue a lien on the real estate of the person, against whom the same has been entered, during a longer term than five years, from and after the passing of this act, unless the person who has obtained such judgment, or his legal representatives, or other persons interested, shall, within the said term of five years, sue out of the court, wherein the same has been entered, a writ of *scire facias*, to revive the same. Lien of judgments now on record.

SECT. II. *And be it further enacted by the authority aforesaid,* That no judgment hereafter entered in any court of record, within this commonwealth, shall continue a lien on the real estate of the person against whom such judgment may be entered, during a longer term than five years from the first return day of the term of which such judgment may be so entered, unless the person who Lien of judgments hereafter entered.