

the treasurer of the commonwealth; and the treasurer is hereby authorized and required to pay the same accordingly.

Passed April 4, 1792. Recorded (not given in rolls). See Act of March 22, 1792, Chapter 1666, and March 23, 1797, Chapter 1935, ordering certain distributions.

CHAPTER MDCXL.

AN ACT TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO INCORPORATE A COMPANY FOR MAKING AN ARTIFICIAL ROAD FROM THE CITY OF PHILADELPHIA TO THE BOROUGH OF LANCASTER.

Whereas the great quantity of heavy articles of the growth and produce of the country, and of foreign goods which are daily transported between the city of Philadelphia and the western counties of the state, requires an amendment of the highway which can only be effected by artificial beds of stone and gravel, disposed in such manner as to prevent the wheels of carriages from cutting into the soil, the expenses whereof will be great; and it is reasonable that those who will enjoy the benefits of such highway should pay a compensation therefor, and there is reason to believe that such highway will be undertaken by an association of citizens, if proper encouragement be given by the legislature.

[Section I.] (Section I, P. L.) Be it therefore 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 Elliston Perot, Henry Drinker, Junior, Owen Jones, Junior, Israel Whelen, and Cadwallader Evans, of the city of Philadelphia, gentlemen, and Edward Hand, John Hubley, Paul Zantzinger, Matthias Slough, and Abraham Witmer, of the county of Lancaster, gentlemen, be, and they are hereby, appointed commissioners, to do and perform the several duties hereinafter mentioned;

that is to say, they shall, on or before the first day of May next, procure two books, and in each of them enter as follows: "We, whose names are hereto subscribed, do promise to pay to the president, managers and company of the Philadelphia and Lancaster turnpike road company, the sum of three hundred dollars, for every share of stock in the said company set opposite to our respective names, in such manner and proportions, and at such times, as shall be determined by the said president and managers in pursuance of an act of the general assembly of this commonwealth, entitled 'An act to enable the governor of this commonwealth to incorporate a company, for making an artificial road from the city of Philadelphia to the borough of Lancaster.' Witness our hands the day of in the year of our Lord, one thousand seven hundred and ninety-two," and shall thereupon give notice in three of the public papers in the city of Philadelphia, one whereof shall be in the German language and in the public paper printed in Lancaster, for one calendar month at least, of the times and places in the said city and borough respectively, when and where the said books shall be open to receive subscriptions of stock for the said company, at which respective times and places some three of the said commissioners shall attend, and shall permit and suffer all persons who shall offer to subscribe in the said books, which shall be kept open for the purpose at least six hours in every juridical day for the space of three days, if three days shall be necessary; and on the first of the said days, any person, of the age of twenty-one years, shall be at liberty to subscribe in his own name, or in the name or names of any other person or persons, by whom he shall be authorized, for one share, on the second day, for one or two shares, on the third day, for one, two or three shares, and on any succeeding day, while the said books shall remain open, for any number of shares in the said stock; and if at the expiration of the said three first days, the said book opened at Philadelphia shall not have six hundred shares therein subscribed, and the said book open at Lancaster, shall not have four hundred shares therein subscribed, the said commissioners, respectively, may adjourn from time to time, until the said number of shares

shall be subscribed, of which adjournments public notice shall be given in at least one public paper in each place; and when the said subscriptions in the said books shall amount to the respective numbers aforesaid, the same shall respectively be closed; and if on that day, and before the said subscriptions shall be declared to be full, application shall be made to subscribe more shares than will fill the said books, or either of them, to the numbers aforesaid respectively, then the said commissioners respectively shall apportion the whole number of shares unsubscribed, at each respective place, on the morning of that day, among all those who shall have subscribed, or offered to subscribe, as aforesaid, on that day, by deducting from the subscribers of more shares than one, such proportion of the shares by them respectively subscribed, as will, with the least fraction, and leaving every person one or more shares, come nearest to the exact numbers of shares aforesaid. Provided always, That every person offering to subscribe in the said books in his own name, or any other name, shall previously pay to the attending commissioners thirty dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking such subscriptions, and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized and the officers chosen, as hereinafter mentioned.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That when one hundred persons or more shall have subscribed five hundred or more shares of the said stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed, they shall certify, under their hands and seals, the names of the subscribers, and the number of shares subscribed by, or apportioned to, each subscriber, to the governor of this commonwealth and thereupon it shall and may be lawful for the governor, by letters patent, under his hand and the seal of the state, to create and erect the subscribers, and if the said subscriptions be not full at the time, then also those who shall after subscribe to the numbers 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 Philadelphia and Lancaster Turnpike Road;" and by said 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 said 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 fulfill the intent of this act, and of purchasing, taking and holding to them, and their successors and assigns, in fee simple, or for any lesser estate, all such lands, tenements, hereditaments and 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.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the seven persons first named in the said letters patent shall, as soon as conveniently may be after sealing the same, give notice in three of the public papers in Philadelphia, and in that printed at Lancaster, one whereof at Philadelphia shall be in the German language, of a time and place by them to be appointed, not less than twenty days from the time of issuing the first notice; at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose, by a majority of votes of the said subscribers, by ballots, to be delivered in person or by proxy, duly authorized, one president, twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company, for one year and until other such officers shall be chosen; and shall or may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this commonwealth, as shall be necessary for the well ordering the affairs of the said company. Provided always, That no person shall have more than ten votes at any election, or in determining any question arising at such meeting, whatever number of shares he may be entitled unto, and that each person shall be entitled to one vote for every share by him held under the said number.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said company shall meet on the second Monday of January in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing other such 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 majority of votes, in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform any other corporate act.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed, 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 corporation, to each person, for every share by him subscribed and held, he paying to the treasurer, in part of the sum due thereupon, the sum of forty-five dollars for each share, which certificate shall be transferrable at his pleasure, in person or by attorney, in the presence of the president or treasurer, subject, however, to all payments due and to grow 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 the purpose, shall be a member of the corporation, and for every certificate by him held, shall be entitled to one share of the capital stock, and of all the estate and emoluments of the company, and to vote as aforesaid at the meetings thereof.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said president and managers shall meet at such times and places, and be convened in such manner, as shall be agreed on for transacting their business, at which meetings five 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 met, they shall have full power and authority to agree with and appoint all such surveyors, engineers, superintendents and other artists and officers, as they shall judge necessary to carry on the intended works, and to fix their salaries or other wages, to ascertain the times, manner and proportions, when, and in which, the stockholders shall pay the moneys due on their respective shares, in order to carry on the work, to draw orders on the treasurer for all moneys necessary to pay the salaries of persons by them employed, and for the labor and materials done and provided, which orders shall be signed by the president, or in his absence, by a majority of a quorum, and countersigned by their clerk; and generally to do and transact all such other acts, matters and things, as by the by-laws, rules, orders and regulations of the company shall be committed to them.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That if any stockholder, after thirty days' notice in three of the public papers printed in the city of Philadelphia, as 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, shall neglect to pay such proportion at the place appointed, for the space of sixty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to the dividend so called for, pay after the rate of five per centum per month for every delay of such payment; and if the same and the said additional penalty shall remain unpaid for such space of time, as that the accumulated penalties shall become equal to the sums before paid in part and on account of such share, the same shall be forfeited to the said company, and may and shall be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said president and managers, their superintendents, surveyors, engineers, artists and chainbearers, to enter into and upon all and every the lands, tenements and enclosures, in, through and over which the said intended turn-

pike road may be thought proper to pass, and to examine the ground most proper for the purpose, and the quarries and beds of stone, 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 track for the same, as in the best of their judgement and skill, will combine shortness of distance with the most practicable ground, from the west side of Schuylkill river, opposite to the city of Philadelphia, so as to pass near to or over the bridge on Brandywine creek, near Downingstown, from thence to Witmer's bridge, on Connestogoe creek, and from thence to the east end of King street, where the buildings cease, in the borough of Lancaster.

[Section IX.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said president and managers, by and with their superintendents, engineers, artists, workmen and laborers, with their tools and instruments, carts, wagons, wains and other carriages, and beasts of draught or burden, to enter upon the lands, in, over, contiguous, and near to which the route and track of the said intended road shall pass, first giving notice of their intention to the owners thereof, or their representatives, and doing as little damage thereto as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any damages that may be done to any improvements thereon, by appraisement to be made in the manner hereinafter directed, and upon a reasonable agreement, if they can agree, or if they cannot agree, then upon an appraisement to be made, upon oath or affirmation, by three indifferent freeholders, or any two of them agreeing, to be mutually chosen, or if the owners, upon due notice, shall neglect or refuse to join in the choice, then to be appointed by any justice of the peace of the county not interested on either side, and tender of the appraised value to dig, take and carry away, any stone, gravel, sand or earth, there being most conveniently situated, for making or repairing the said road.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said president, managers

and company shall have power to erect permanent bridges over all the waters crossing the said route or track, betwixt the river Schuylkill and Connestogoe, wherever the same shall be found necessary, and shall cause a road to be laid out, fifty feet wide, twenty-one feet whereof in breadth, at least, shall be made an artificial road, which shall be bedded with wood, stone, gravel, or any other hard substance, well compacted together, a 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, an even surface, rising towards the middle by a gradual arch, 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 degrees with an horizontal line, and shall forever hereafter maintain and keep the same in good and perfect order and repair, from the city of Philadelphia to Witmer's bridge, and thence to the borough of Lancaster.

[Section XI.] (Section XI, P. L.) 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 any distance from the city of Philadelphia, not less than ten miles, towards the said borough, and so from time to time, any other like distance progressively, they shall give notice thereof to the governor of the commonwealth, who shall thereupon forthwith nominate and appoint three skillful and judicious persons to view and examine the same, and report to him in writing whether the said road is so far executed in a masterly workmanlike manner, according to the true intent and meaning of this act; and if their report shall be in the affirmative, then the governor shall, by license under his hand and the lesser seal of the commonwealth, permit and suffer the said president, managers and company to erect and fix such and so many gates or turnpikes upon and across the said road, as will be necessary and sufficient to collect the tolls and duties hereinafter granted to the said company, from all persons traveling in the same with horses, cattle, carts and carriages.

[Section XII.] (Section XII, P. L.) 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 in manner 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 hereinafter mentioned, and to stop any person riding, leading or driving any horses, cattle, hogs, sheep, sulky, chair, chaise, phaeton, cart, wagon, wain, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates or turnpikes, until they shall respectively have paid the same; that is to say, for every space of ten miles in length of the said road, the following sums of money, and so on in proportion for any greater or lesser distance, or for any greater or lesser number of sheep, hogs, or cattle, viz.: for every score of sheep, one-eighth of a dollar; for every score of hogs, one-eighth of a dollar; for every score of cattle, one-quarter of a dollar; for every horse and his rider, or lead horse, one-sixteenth of a dollar; for every sulkey, chair, or chaise, with one horse and two wheels, one-eighth of a dollar; for every chariot, coach, stage wagon, phaeton, or chaise, with two horses and four wheels, one-quarter of a dollar; for either of the carriages last mentioned, with four horses, three-eighths of a dollar; 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 cart or wagon whose wheels do not exceed the breadth of four inches, one-eighth of a dollar, for each horse drawing the same; for every cart or wagon, whose wheels shall exceed in breadth four inches, and not exceed seven inches, one-sixteenth of a dollar for every horse drawing the same; for every cart or wagon, the breadth of whose wheels 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, five cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches, and not exceed twelve inches,

or, being ten inches, shall roll more than fifteen inches, three cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than twelve inches, two cents for every horse drawing the same.

[Section XIII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That no wagon or other carriage with four wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road between the first day of December and the first day of May following, in any year or years, with a greater weight thereon, than two and a half tons, or with more than three tons during the rest of the year; that no such carriage, the breadth of whose wheels shall not be seven inches, or, being six inches, or more, shall not roll at least ten inches, shall be drawn along the said road between the said first day of December and May, with more than three and a half tons, or with more than four tons during the rest of the year; that no such carriage, the breadth of whose wheels shall not be ten inches or more, or, being less, shall not roll at least twelve inches, shall be drawn along the said road between the said first days of December and May, with more than five tons, or with more than five and a half tons during the rest of the year; that no cart or other carriage with two wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road with a greater weight thereon than one and a quarter tons, between the said first day of December and May, or with more than one and a half tons during the rest of the year; and that no such carriage, whose wheels shall not be of the breadth of seven inches, shall be drawn along the said road with more than two and a half tons between the said first days of December and May, or with more than three tons during the rest of the year; that no such carriage, whose wheels shall not be the the year; that no such carriage whose wheels shall not be the breadth of ten inches, shall be drawn along the said road, between the said first days of December and May, with more than three and a half tons, or with more than four tons during the rest of the year; that no greater weight than seven tons shall be drawn along the said road in any carriage whatever, be-

tween the said first days of December and May, nor more than eight tons during the rest of the year; that no cart, wagon or carriage of burden whatsoever, whose wheels shall not be of the breadth of nine inches at least, shall be drawn or pass in or over the said road, or any part thereof, with more than six horses, nor shall more than eight horses be attached to any carriage whatsoever, used on the said road, and if any wagon or other carriage shall be drawn along the said road by a greater number of horses, or with a greater weight, than is hereby permitted, one of the horses attached thereto shall be forfeited to the use of the said company, to be seized and taken by any of their officers or servants, who shall be at liberty to choose which of the said horses they may think proper, excepting the shaft or wheel horse or horses. Provided always, That it shall and may be lawful for the said company, by their by-laws, to alter any or all the regulations herein contained, respecting the burdens on carriages to be drawn over the said road, and to substitute other regulations, if, upon experience, such alterations shall be found conducive to the public good.

[Section XIV.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That all such carriages as aforesaid, to be drawn by oxen in the whole, or partly horses and partly by oxen, two oxen shall be estimated as equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse.

[Section XV.] (Section XV, P. L.) 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 thereof shall be given to any justice of the peace of the neighborhood, such justice shall issue a precept to be directed to any constable, commanding him to summon three judicious freeholders to meet at a certain time, in the said precept to be mentioned, at the place in the said road which shall be complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto, and the said justice shall at such time and place, by the oaths or affirmations of the said

freeholders, inquire whether the said road, or any part thereof, is in such good and perfect order and repair as aforesaid, and shall cause an inquisition to be made under the hands of himself and of a majority of the said freeholders; and if the said road shall be found by the said inquisition to be out of order and repair, according to the true intent and meaning of this act, he shall certify, and send one copy of the said inquisition 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, for passing the interval of road between them, shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put into good and perfect order and repair as aforesaid; and if the same shall not be so put into good and perfect order and repair, before the next ensuing court of quarter sessions of the county wherein the same shall be, the said justice shall certify and send a copy of the said inquisition to the justices of the said court, and the said court shall thereupon cause process to issue, and bring in the bodies of the person or persons intrusted by the company with the care and superintendence of such part of the said roads as shall be so found defective, and shall proceed upon such inquisition, in the same manner and form as upon indictments found by the grand inquest for the body of the county, against the supervisors of the highways, for neglect of their duty, and if the person or persons intrusted by the said company as aforesaid, shall be convicted of the offence by the said inquisition charged, the said court shall give such judgment, according to the nature and aggravation of the neglect, as according to right and justice, would be proper in the case of supervisors of the highways neglecting their duty; and fines and penalties so to be imposed shall be recovered in the same manner, as fines for misdemeanors are usually recovered in the said courts, and shall be paid to the supervisors of the highways of the place wherein the offence was committed, to be applied to repairing such highways as the township or county is bound to maintain and repair, at the public expense thereof.

[Section XVI.] (Section XVI, P. L.) 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 moneys to be received by them from the said commissioners, and from the subscribers to the said undertaking, on account of their several subscriptions, and of all penalties for delay in the payment thereof, and of the amount of the profits on the shares which may be forfeited as aforesaid, and also of all moneys by them to be expended in the prosecution of their said work, and shall, once at least in every year, submit such accounts to a general meeting of the stockholders, until the said road 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 whenever the whole capital stock of the said company shall be nearly expended, it shall be found, that the said capital stock will not be sufficient 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 demand and receive the moneys subscribed for such shares, in like manner and under the like penalties, as are hereinbefore provided for the original subscriptions, or as shall be provided by their by-laws.

[Section XVII.] (Section XVII, P. L.) 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 and every the moneys to be received by their several and respective collectors of tolls, at the several gates or turnpikes on the said road, from beginning to end; and shall make and declare a dividend of the clear profits and income thereof, all contingent costs and charges being first deducted, among all the subscribers to the said company's stock, and shall, on every the second Monday in January and July, in every year, publish the half yearly dividend to be made of the said clear profits

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

[Section XVIII.] (Section XVIII, P. L.) And be it further enacted by the authority aforesaid, That the said president and managers shall, at the end of every third year from the date of the incorporation, until two years next after the whole road shall be completed, lay before the general assembly of this commonwealth an abstract of their accounts, showing the whole amount of their capital expended in prosecution of the said work, and of the income and profits arising from the said toll, 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, to the end that the clear annual income and profits thereof may be ascertained and known; and if, at the end of two years after the said road shall be completed, from the beginning to the end thereof, it shall appear, from the average profits of the said two years, that the said clear income and profits thereof will not bear a dividend of six per centum per annum on the whole capital stock of the said company so expended, then it shall and may be lawful to and for the said president, managers and company, to increase the tolls herein above allowed, so much upon each and every allowance thereof, as will raise the dividends up to six per centum per annum, and at the end of every ten years after the said road shall be completed, they shall render to the general assembly a like abstract of their accounts for three preceding years; and if, at the end of any such decennial period, it shall appear, from such abstract, that the clear profits and income of the said company will bear a dividend of more than fifteen per centum per annum, then the said toll shall be so reduced, as will reduce the said dividend down to fifteen per centum per annum.

[Section XIX.] (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That the said company shall cause posts to be erected, at the intersection of every road falling into and leading out of the said turnpike road, with boards, and an index hand, pointing to the direction of

such road, on both sides whereof shall be inscribed in legible characters, the name of the town, village or place to which [such] road leads, and the distance thereof in computed miles.

[Section XX.] (Section XX, P. L.) 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, beginning at the distance of one mile from the east side of Schuylkill, and extending thence to the borough of Lancaster, whereon shall be marked in plain legible characters, the respective number of miles which each stone is distant from the west bounds of the city of Philadelphia, and at every gate or turnpike by them to be fixed on the said road, shall cause the distance from Philadelphia, and the distances from the nearest gates or turnpikes, in each direction, to be marked in legible characters, designating the number of miles and fractions of a mile, on the said gate or some other conspicuous place, and also to cause to be affixed at such places a printed list of the rates of toll, which from time to time may lawfully be demanded, for the information of travelers and others using the said road.

[Section XXI.] (Section XXI, P. L.) And be it further enacted by the authority aforesaid, That all wagoners 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 draft, 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 repass; and if any driver shall offend against this provision he shall forfeit and pay the sum of two dollars to any person who shall be obstructed in his passage, and will sue for the same, to be recovered with costs, before any justice, in the same manner as debts under ten pounds are by law recoverable.

[Section XXII.] (Section XXII, P. L.) And be it further enacted by the authority aforesaid, That if the said company shall not proceed to carry on the said work within two years after the passing of this act, or shall not, within seven years afterwards, complete the said road, according to the true intent

and meaning of this act, then, in either of those cases, it shall and may be lawful for the legislature of the commonwealth to resume all and singular the rights, liberties, privileges and franchises hereby granted to the company.

Passed April 9, 1792. Recorded L. B. No. 4, p. 493. See Act of April 17, 1795, Chapter 1853; (1) as to widening road in certain cases; (2) imposing penalties for evasion of tolls. See Act of April 4, 1798, Chapter 2003.

CHAPTER MDCXLI.

AN ACT TO ALTER THE PLACE OF HOLDING THE ANNUAL ELECTION IN THE SECOND DISTRICT WITHIN THE COUNTY OF BEDFORD.

[Section I.] (Section I, P. L.) 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 from and after the passing of this act, the freemen of the second election district in the county of Bedford shall hold their annual election at the house now occupied by Michael Stall, in Belfast township, in the county aforesaid, any law to the contrary notwithstanding.

Passed April 10, 1792. Recorded L. B. No. 4, p. 506.

CHAPTER MDCXLII.

AN ACT TO PROVIDE PAYMENT OF CERTAIN INCIDENTAL EXPENSES OF THE LATE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, AND OF THE LATE COMMITTEE OF SAFETY.

Whereas certain demands, arising from transacting the business of the late general assembly and of the late committee of safety, remain unpaid.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-