

SCHUYLKILL. *SECT. 53. And be it further enacted by the authority aforesaid,* That the electors of Lower Mahantongo, in the county of Schuylkill, shall hereafter hold their general election at the house of John Dieter, in said township.

PHILADELPHIA
SOUTHWARK. *SECT. 54. And be it further enacted by the authority aforesaid,* That the election of constables in the district of Southwark, county of Philadelphia, shall be held annually on the first Monday in May, and that the fourth section of the act passed seventh day of March, one thousand eight hundred and twenty-nine, entitled "An act supplementary to an act to incorporate the district of Southwark," be and the same is hereby repealed.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 169.

AN ACT

Relative to the Coshecton and Great Bend turnpike road.

If road is neglected, judge of court of com. pleas to appoint 3 examiners, and make inquiry.

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 if the president, managers and company of the Coshecton turnpike road shall neglect to keep the said road in good and perfect order and repair, for the space of fifteen days, and information thereof shall be given to any judge of the court of common pleas of the proper county, such judge 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 is complained of, of which meeting four days notice shall be given to the keeper of the gate or turnpike nearest thereto, and the said judge 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 and seals of himself and 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 so certify, and send one copy of the said inquisition to each of the keepers or gates of the turnpikes between which such defective place shall be; and from thenceforth the tolls authorised to be collected at such turnpikes or gates, for the intermediate distance 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 any of the keepers of the gates aforesaid, shall take or attempt to exact tolls for the intermediate distance between the gates aforesaid, from any person during the time the road shall continue out of repair, such keeper shall forfeit and pay to the person who shall prosecute for the same, the sum of five dollars, to be recovered before any justice of the peace, as debts under forty shillings are by law recoverable; but if the same road shall not be put into good and perfect order and repair, before the next ensuing court of quarter sessions of the proper county, the said judge 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 body or bodies of the person or persons entrusted by the company with the care and superintendence of such part of the said road as shall be found defective as aforesaid, and shall direct a bill of indictment to be sent to the grand inquest, against the person or persons entrusted as aforesaid, and upon conviction, shall give such judgment according to the nature and aggravation of the neglect, as the said court in their discretion shall think proper: *Provided*, The fine in no instance shall be less than ten dollars, nor exceeding fifty dollars, and the fines so to be imposed shall be paid to the supervisors of highways of the place wherein the offence was committed, to be applied to repairing such highways as the township or county is bound to repair, at the public expense thereof: *And provided always*, That no proceedings shall be commenced under this act, until ten days after notice in writing shall have been given to the president or some one of the managers of the said company, of the place or places where repairs may or shall be necessary on said road.

If found to be out of order, to notify gate keepers, who shall cease to take toll until repair of road.

§5 penalty on gate keepers taking toll during such time. If road is not repaired before qr. sess. superintendents to be indicted.

Proviso.

Fine between 10 and 50 dollars.

How applied.

2d proviso.

President or managers to have 10 days notice.

Repealing section.

SECT. 2. *And be it further enacted by the authority aforesaid*, That so much of any other act of assembly as is hereby altered or supplied, be and the same is hereby repealed.

No. of managers of Great Bend turnpike hereafter to be 5, including president.

SECT. 3. *And be it further enacted by the authority aforesaid,* That from and after the period for which the president and managers were elected, the number of managers in the Philadelphia and Great Bend turnpike road company shall be five, the president included, to be elected as heretofore and to possess the same powers, a majority of whom shall be a quorum to do business.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 170.

AN ACT

For the relief of Peter Aurand, late deputy marshal of Berks and Schuylkill counties, and to authorise the Auditor General to settle the accounts of Nathaniel Brooke, John Mitchell and Francis W. Rawle.

Preamble.

WHEREAS, Peter Aurand, of the borough of Reading, was deputy marshal for Berks and Schuylkill counties, in the year one thousand eight hundred and seventeen, and during his term of office received from different courts martial suits of persons who had been fined for non-performance of militia duty, during the late war with Great Britain; that in pursuance of his duty, he was obliged to travel through every part of the said counties, to serve notices and other process on persons many of whom proved insolvent, and from whom no part of the fines imposed could be obtained, amounting in all to six hundred and ninety-eight dollars and eighty-four cents: *And whereas*, the said Peter Aurand collected fines to the amount of two thousand seven hundred and twenty-two dollars, which by the direction of the Governor of this commonwealth, was ordered to be repaid to the several persons from whom it was collected, and for which he received no compensation for collecting and repaying: *And whereas*, on the first day of November, in the year of our Lord one thousand eight hundred and twenty-five, the account of said Peter Aurand was settled under the provisions of the act entitled