

No. 311.

A SUPPLEMENT

To an act authorizing the governor to incorporate the president, managers and company of the Lackawaxen, Belmonte and Oghquago, and Belmonte and Easton turnpike road.

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

if the president, managers and company of the Lackawaxen 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, on oath or affirmation, shall be given to any judge of the court of quarter sessions of the peace of the proper county, such judge shall summon five disinterested and judicious freeholders, to meet at a certain time, at the place in said road complained of; which precept shall be served on said freeholders, and on the keeper or keepers of the gates or turnpike nearest the place or places in said road complained of, at least five days before said time of meeting, by delivering to each a fair copy thereof; and which precept shall be served by any constable of the proper county, and duly returned to said judge within ten days from the issuing thereof.

Proceedings
against company
in case of neglect
to keep the road
in order and re-
pair.

SECTION 2. The said freeholders shall meet at the time and place in said precept mentioned, and being first duly sworn or affirmed, shall proceed to inquire whether any part of said road complained of be in such good and perfect order and repair as aforesaid; and if the said road shall be found by the said freeholders to be out of order and repair, according to the true intent and meaning of this act, they shall cause an inquisition to be made under their hands and seals, or a majority of them, and shall send one copy thereof to each of the keepers of the gates or turnpikes between which such defective place or places shall be; and from thenceforth the tolls at such turnpike gates, for the intermediate distances between them, shall cease to be demanded, paid or collected; and the said freeholders shall file said inquisition with the said judge, within five days after finding the same: *Provided*, That whenever said road or defective places, as the case may be, shall have been put in good order and repair, according to the true intent and meaning of this act, it shall be lawful for said company to certify the same, supported by oath or affirmation, to said judge, and from thenceforth the tolls may be demanded and collected as before; but if the said road shall not be put in good and perfect order and repair before the next ensuing court of quarter sessions of the proper county, on the written application of the complainant at whose instance the proceedings were instituted, the said judge shall certify and send a copy of the said inquisition to the justices of said court, who shall direct a bill of indictment to be sent to the grand inquest, against the person or persons entrusted with the care and supervision of said road, or such part thereof as shall have been found defective; and on the finding of such bill by the grand inquest, shall cause process to issue and bring in the body or bodies of the person or persons entrusted as aforesaid, and upon conviction shall give such judgment, according to the nature and

Duties of inquisition.

Proviso.

Proviso.

aggravation of the neglect, as the said court in their discretion shall think proper: *Provided*, That the fine in no case 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 in 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 said company, of the place or places where repairs are necessary on said road.

Proviso.

Change location.

SECTION 3. It shall and may be lawful for said company to alter the location of their road in the vicinity of the borough of Prompton, in such manner as shall be necessary to avoid injury from the pool caused by the erection of a dam immediately above said borough; and for this purpose shall have power to enter upon any adjacent land, with the privileges and restrictions contained in the original charter.

Extended to the
Easton and Ogh-
quago, and Mil-
ford and Owego
turnpike road
company.

SECTION 4. The provisions of the first and second sections of this supplement, shall be and they are hereby extended to the president, managers and company of the Easton and Oghquago turnpike company, and to the president, managers and company of the Milford and Owego turnpike company.

Repeal.

SECTION 5. So much of the act to which this is a supplement, as is herein altered or supplied, is hereby repealed.

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

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 312.

A FURTHER SUPPLEMENT

To the penal laws of this state.

Time of prosecu-
tions limited.

Proviso.

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 from and after the passage of this act, no indictment for misdemeanor, except forgeries and perjuries, shall be commenced or prosecuted in any of the courts of this commonwealth, unless the same shall have been commenced and prosecuted within five years from the time at which the alleged offence shall have been committed: *Provided*, That nothing herein contained shall extend in any way to persons fleeing from justice.

SECTION 2. That the inspectors of the Eastern and Western penitentiaries shall, in addition to the powers and duties already given to them,