

1801. shall hold their elections at the county court-house, at Williamsport.

Place of election in the second district.

SECT. II. *And be it further enacted by the authority aforesaid, That the residue of the electors of Muncy township, and those townships composing the second election district, shall hold their elections at the house now occupied by Jacob Mirril, in the town of Pennsburgh, in Muncy creek township.*

The Fourth election district enlarged.

SECT. III. *And be it further enacted by the authority aforesaid, That those parts of Bald-Eagle township, included within the bounds of said county, shall be annexed to the fourth election district, and the electors thereof shall hold their elections at the house lately occupied by Hugh Andrews, in the town of Dunsburgh.*

Passed 26th February, 1801.—Recorded in Law Book No. VIII. page 2.

CHAPTER MMCXCVI.

(Chap. 834.) *An ACT to repeal an act, entitled "An Act for the regulation of the Markets in the city of Philadelphia, and for other purposes therein mentioned," passed the fifth day of April, one thousand seven hundred and seventy nine.*

Repeal of an act for regulating the Philadelphia market.

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 act, entitled "An act for the regulation of the markets in the city of Philadelphia, and for other purposes therein mentioned," passed the fifth day of April, one thousand seven hundred and seventy-nine, be, and is hereby repealed.*

Passed 26th February, 1801.—Recorded in Law Book No. VIII. page 2.

CHAPTER MMCXCVII.

(Ante. page 191.)

A SUPPLEMENT to the act, entitled "An Act to enable the Governor of this commonwealth to incorporate a company for making an artificial road from the borough of Lancaster to the river Susquehanna, at or near Wright's ferry."

FOR the more effectual preventing evasions of the salutary regulations intended in, and by the act incorporating a company for making an artificial road, from the borough of Lancaster to the river Susquehanna, at or near Wright's ferry.

Penalty for frauds on the turnpike road from Lancaster to Wright's ferry.

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 whomsoever, 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, 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 contained, not being entitled thereto, or committing any fraud or abuse thereof, either by him, her or themselves, or by giving any license 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 Lancaster and Susquehanna 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.

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 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 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, 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 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 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.

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 bur-

Penalty for breaking or defacing mile-stones, index posts or turnpike gates.

Scales and weights to be established at certain

1801. then, 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 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 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.

Limitation of suits brought under this act.

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, 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 the special matter in evidence, and that the same was done in pursuance and by the authority of this and the said recited act.

Power of the corporation to lease the tolls.

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers of the said turnpike road, for the time being, shall and may and they are hereby authorized and empowered to grant, demise and to farm-let to any person or persons with whom they can agree, the tolls and duties which they by virtue of the act incorporating them, or by any supplementary act are authorized to demand and receive for passage in, upon and along the said road, at any gate or turnpike over or by the side of the same road, or any part of the same, for any term not exceeding seven years, under such rents and convenient reservations and conditions, as the said president, and managers at any meeting of their board shall agree upon, which grants and demises shall have the same construction, force and effect, as other the like grants and demises made between private persons have and receive at law.

Passed 25th February, 1801.—Recorded in Law Book No. VIII. page 3.

CHAPTER MMCXCIX.

An ACT to erect the townships of Salisbury and Sadsbury, in the county of Lancaster, into a separate election district.

SECT. I. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assem-*