

he shall forfeit and pay any sum not exceeding 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 of equal amount are or may be by law recoverable.

Section XXIII. (Section XXIII, P. L.) And be it further enacted by the authority aforesaid, That if the company shall not proceed to carry on the said work within four years after the passing of this act, or shall not, within ten years afterwards complete the said road, according to the true intent and meaning of this act, then, in either of those cases, all and singular the rights, liberties, privileges and franchises hereby granted to the company, shall revert to this commonwealth.

Section XXIV. (Section XXIV, P. L.) And be it further enacted by the authority aforesaid, That if the legislature should at any time after the year one thousand eight hundred and twenty-five, think proper to take possession of the said road, or to declare the same to be free of toll, five persons shall be appointed by the legislature, and five by the president and managers of the said company, who, or any six or more of them, shall proceed to examine and estimate the value of the property which the said company hath therein, and certify the amount thereof to the governor of this commonwealth who shall cause the same to be laid before the legislature at their next session; and whenever the amount so certified shall be paid to the said company, their right to take toll on the said road, together with all their right, title, claim and interest therein, shall cease and determine.

Approved March 2, 1805. Recorded in L. B. No. 10, p. 84.

CHAPTER MMDLX.

AN ACT RELEASING ALL CLAIMS OF THE COMMONWEALTH TO THE LANDS CONTAINED WITHIN THE BOROUGH OF YORK.

Whereas it hath been represented to the legislature, by sundry inhabitants of the borough of York, in this State, that

John Penn and Richard Penn, late proprietaries of Pennsylvania, have, by their agent John R. Coats, esquire, made claim to the lots and land contained within the lines of the borough of York, as part of their private property or estates, reserved to them by an act of assembly of this state, and that the freeholders of said borough, willing to avoid law suits, have made an advantageous contract with the said John R. Coats, esquire, by which the said John R. Coats, agent as aforesaid, hath agreed for the consideration mentioned in said contract, to release and confirm to the several persons holding lots in said borough, all the right, interest and claim of the said John Penn and Richard Penn, and also all claim to the unappropriated lands in the said borough to the corporation thereof; but that said bargain or agreement was to be conditional, until the legislature should pass a law relinquishing the claim of this state to all right, title, interest and claim within the said borough: Wherefore for the purpose of giving effect to said contract.

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 all right, interest and claim of this commonwealth to all and every part of the lots and lands included in said borough, which are held and occupied by any person or persons, religious societies, or bodies politic, deriving their authority from the late proprietaries, are hereby released, confirmed and forever quit claimed to such person or persons, religious societies, and bodies politic, so occupying and holding the same, and all the right, interest and claim of this state to the remainder of the lots and lands contained within said borough, are hereby released, remised and forever quit claimed to the corporation for the use of said borough: Provided always, that nothing herein contained shall ever be construed to relinquish or impair any right or interest the state may have in and to any lands within the bounds of the reputed manor of Springetsbury, other than those within the borough aforesaid, nor as a guarantee of the state to the lands or lots within the borough aforesaid, nor to defeat and impair

the claim or title of any person or persons to the lands or lots within the borough aforesaid.

Approved March 7, 1805. Recorded in L. B. No. 10, p. 95.

CHAPTER MMDLXI.

AN ACT AUTHORIZING THE GOVERNOR TO APPOINT COMMISSIONERS TO ASCERTAIN THE BEST MODE OF IMPROVING THE NAVIGATION OF THE RIVER OHIO.

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 the governor be, and he is hereby authorized and required to appoint two commissioners on the part of this commonwealth, to join with commissioners to be appointed by the states of Virginia, Kentucky and Ohio, respectively, (if those states shall appoint such commissioners) to view the rapids of the river Ohio, and consider the proper means of opening and improving the navigation of the same; and also to obtain as nearly as may be, an estimate of the expense necessary for that purpose, and the reasonable proportion to be advanced by each state, according to the probable advantages they may respectively receive; which commissioners thus appointed, shall meet at such time and place as the executives of the several states concerned shall appoint, and the commissioners appointed on the part of this state, after having attended to the duties of their appointment, shall report the result thereof to the governor of this commonwealth, in order that he may lay the same before the legislature for their approbation; and the commissioners aforesaid shall receive the sum of four dollars per day, for each day necessarily spent in that service, to be paid by warrants drawn by the governor on the treasurer of this commonwealth.

Approved March 7, 1805. Recorded in No. 10, p. 96.