

CHAPTER XXXIII.

An ACT to authorize Hugh Moore, James Herrington and Samuel Evans, to erect a toll bridge over French creek, at the place usually known by the name of "Evans' Ferry," in Mercer county.

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 it shall and may be lawful for Hugh Moore, James Herrington and Samuel Evans, their heirs or assigns, to erect, build, maintain and support a good and substantial bridge over and across French creek, at the place where the public road crosses the same, usually known by the name of "Evans' Ferry," in Mercer county, and the property of said bridge, when built, shall be, and the same is hereby vested in the said Hugh Moore, James Herrington and Samuel Evans, their heirs or assigns, for ever: and as soon as the said bridge shall have been erected, under the authority of this act, they, the said Hugh Moore, James Herrington and Samuel Evans, their heirs or assigns, may, and they are hereby empowered to erect a gate, to demand and receive toll from travellers and others passing the same, as follows, viz. For every carriage of whatever description, used for the purpose of trade and agriculture, having four wheels and drawn by six horses, eighty-seven and a half cents; for every such carriage, having four wheels and drawn by five horses, seventy-five cents; for every such carriage, having four wheels and drawn by four horses, sixty-two and a half cents; for every such carriage, having four wheels and drawn by three horses, fifty cents; for every such carriage, having four wheels and drawn by two horses, thirty-seven and a half cents; for every such carriage, having four wheels and drawn by one horse, twenty-five cents; for every carriage, of whatever description, used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, seventy-five cents; for every such carriage drawn by two horses, fifty cents; for every such carriage drawn by one horse, twenty-five cents; for every carriage, of whatever description, used for the purpose of trade or agriculture, having two wheels and drawn by two horses, twenty-five cents; for every such carriage drawn by one horse, twenty cents; for every chaise, riding chair, sulkey, or other two wheeled carriage of pleasure, for each horse used therein, twenty-five cents; for every sled or sleigh, drawn by four horses, forty-four cents; for the same drawn by three horses, thirty-one and a fourth cents; for the same drawn by two horses, twenty-five cents; and for the same drawn by one horse, eighteen and three-fourth cents; for every horse and rider, six and a fourth cents; for every led or drove horse or mule, four cents; for every foot passenger, three cents; for every head of horned cattle, two cents; for every head of sheep or swine, one cent; and all carriages that shall be drawn by oxen or partly by oxen and partly by horses, to be rated in the proportion of two oxen for one horse: *Provided,* That no toll shall be demanded or taken from any person or persons attending funerals or divine worship, from militia-men going to and returning from muster on days of training, from children going to and returning from school, or from

Bridge to be erected at Evans' ferry.

May erect gates and take tolls.

Rates thereof.

persons attending general or township elections, but that they shall be allowed to pass and repass, on those occasions, free of expense : *And provided also*, That if at the end of any one year, the amount of tolls collected, shall be such as to produce a dividend to the said parties of more than ten per cent. then the said toll shall be reduced so as to reduce the said dividend to ten per cent. per annum.

SECT. II. *And be it further enacted by the authority aforesaid*, That if the said Hugh Moore, James Herrington and Samuel Evans, their successors or assigns, or any of them, shall not proceed to carry on the aforesaid work within the space of four years from the passing of this act, and shall not within the space of seven years from the passage thereof, complete the said bridge according to the true intent and meaning thereof, or shall misuse or abuse any of the powers herein before granted, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties, privileges and franchises hereby granted.

Work to commence within 4 and completed within 7 years.

SECT. III. *And be it further enacted by the authority aforesaid*, That if the said Hugh Moore, James Herrington and Samuel Evans, their successors or assigns, shall neglect to keep the said bridge in good and perfect order and repair, so as to render it dangerous or difficult for travellers and others to cross the same, for the space of one week, and information thereof shall be given to any justice of the peace of the county, such justice shall issue his precept, 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 said bridge, of which said meeting reasonable notice shall be given to the owners or their agent, or some one of them, and the said justice shall, at such time and place, by the oaths or affirmations of the said freeholders, inquire whether the said bridge is in good and perfect order and repair as aforesaid, and if on such inquiry, the said bridge shall be found, by the said inquisition, not to be in good order and repair, according to the true intent and meaning of this act, he, the said justice, shall certify the same, and send a copy of the inquisition to the said Hugh Moore, James Herrington and Samuel Evans, their successors or assigns, or their agent, or to some one of them, and from thenceforth the said tolls hereby granted, shall cease to be demanded, paid or collected, until the defective part or parts of the said bridge shall be put in good and perfect order and repair as aforesaid.

Penalty for not keeping bridge in repair.

Proceedings how to be had.

SECT. IV. *And be it further enacted by the authority aforesaid*, That if any person or persons shall cut or destroy any piece or pieces of timber, or any plank or planks belonging to the said bridge or breakers, or shall remove any piece or pieces of timber from off the said bridge, or any stone or stones or other materials belonging in anywise to the said bridge or breakers, or otherwise voluntarily damage the same, he, she or they so offending, shall, on conviction thereof, forfeit and pay for every such offence, over and above the damages done to the said bridge or breakers, the sum of twenty dollars, to be recovered in the same manner as debts not exceeding one hundred dollars are by law recoverable, with costs of suit, for the use of the owner or owners of the said bridge at the time the offence shall have been committed.

Penalty on persons injuring the bridge.

SECT. V. *And be it further enacted by the authority aforesaid*,

That nothing in this act contained, shall extend to authorize the said Hugh Moore, James Herrington and Samuel Evans, or any person whatever, to erect a bridge in the manner in this act before mentioned, so as to interfere in any way with, stop, injure or interrupt the navigation of the said creek, to prevent boats from crossing or persons from fording the same. Navigation of the creek not to be injured.

JACOB HOLGATE, *Speaker*
of the House of Representatives,

JOHN TOD, *Speaker of the Senate.*

APPROVED—the twenty-first day of February, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER XXXIV.

An ACT confirming the title of Henry Voights, an alien, to a certain tract of land.

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 title of Henry Voights, an alien, to a certain tract of land called "Babtist," situate on Big Whitely creek, in the county of Greene, containing about three hundred and forty-six acres, purchased by the said Henry Voights, of Lewis Evans and Rachel his wife, be, and the same is hereby confirmed, so far as it may be deficient on account of the said Henry Voights having been an alien at the time he made the purchase, and all conveyances of any parts thereof, which said Henry Voights shall have made, are hereby confirmed to the purchasers respectively: Provided, That this act shall not be so construed as to affect the private right of any individual.*

JACOB HOLGATE, *Speaker*
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the twenty-first day of February, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER XXXV.

An ACT appointing commissioners to run and mark a line dividing the counties of Columbia and Luzerne.

SECT. I. *BE it enacted by the Senate and House of Representa-*