

tenth day of March, one thousand eight hundred and twelve, be, and the same is hereby repealed.

REES HILL, *Speaker*
of the *House of Representatives*.

JOHN TOD, *Speaker of the Senate*.

APPROVED—the eighteenth day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER XCVII.

An ACT to authorise Andrew Flemming to erect and maintain a toll bridge over Oil creek, in the county of Venango.

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 Andrew Flemming, his heirs or assigns, to erect, build, maintain and support a good and substantial bridge over Oil creek, at the place where the public road crosses the same at or near Flemming's mills, in the county of Venango; and the property of said bridge, when built, shall be, and the same is hereby vested in the said Andrew Flemming, his heirs and assigns for ever: and as soon as the said bridge shall have been erected under the authority of this act, it shall and may be lawful for the said Andrew Flemming, his heirs or assigns, 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 an 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 an 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 an 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 wheeled carriage of pleasure, for each horse used therein, twenty-five cents; for every sled or sleigh drawn by four*

Site of the
bridge.

Rates of toll.

horses, forty-four cents; for the same drawn by three horses, thirty-one and one-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 one-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, or from militia-men or volunteers going to or returning from muster, from persons attending general or township elections, or from any person going to or returning from school, but that they shall be allowed to pass and repass on those occasions free of toll. Proviso. Exemption from toll in certain cases.

SECT. II. *And be it further enacted by the authority aforesaid*, That if the said Andrew Flemming, his heirs or assigns, or any of them, shall not proceed to carry on the aforesaid work within the space of two years from the passage of this act, and shall not within the space of four years from the passing thereof, complete 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. Time limited for commenting and completing the work.

SECT. III. *And be it further enacted by the authority aforesaid*, That if the said Andrew Flemming, his heirs 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 of Venango, such justice shall issue his precept, directed to any constable, commanding him to summon three disinterested 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 owner of said bridge, and the said justice shall, at such time and place, by the oaths or affirmations of the freeholders, or any two of them, inquire whether the said bridge is in good and perfect order and repair as aforesaid, and if upon 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 Andrew Flemming, his heirs or assigns, and from thenceforth the said tolls hereby granted shall cease to be demanded, paid or collected until such defective part or parts of the said bridge shall be put in good and perfect order and repair as aforesaid. Penalty on neglecting to keep bridge in repair. Mode of proceeding.

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 any stone or stones or other materials be- Penalty on injuring the bridge.

longing in any wise to the said bridge or breakers, or otherwise wilfully 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 bridge or breakers, any sum not exceeding 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 said bridge at the time the said offence shall have been committed.

BRIDGE NOT TO OBSTRUCT THE NAVIGATION. **SECT. v.** *And be it further enacted by the authority aforesaid,* That nothing in this act contained shall extend to authorise the said Andrew Flemming, his heirs or assigns, or any person for them, 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, or prevent boats from crossing or persons from fording the same.

REES HILL, *Speaker*
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eighteenth day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER XCVIII.

An ACT to review part of the state road from the mouth of Beaver creek, to the top of the hill north-west of Greersburg.

COURT TO APPOINT REVIEWERS. **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 court of quarter sessions of the county of Beaver, be, and they are hereby directed to appoint five suitable persons, one of whom shall be a practical surveyor, to review that part of the state road laid out from the end of the bridge near the mouth of Beaver creek in said county, to intersect the post road near Petersburg in the state of Ohio, which lies between the end of said bridge and the top of the first hill north-west of Greersburg, and that the court house in the borough of Beaver, be the point at which the said reviewers shall commence, and from thence the nearest and best route to the hill aforesaid, and if upon the report of the said viewers, or any four of them, making any alterations of said road, the court shall approve of the same, a draft with the courses and distances of the said road, shall be filed in the office of the clerk of the said court, a duplicate whereof shall be transmitted by him to the secretary of the commonwealth, and the road so laid out and approved of, shall be a part of the state road aforesaid, and that part rendered unnecessary shall be vacated.