

shall be paid to Jane Cunningham, executrix of the last will and testament of the said James Cunningham, by the state treasurer, on a warrant drawn by the auditor general.

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 CVI.

An ACT authorising Joseph Budd and Joshua Budd to build a toll bridge across the Youghiogeny river, in Westmoreland county, and for extending the time for building a bridge over the river Juniata at Millerstown, in Cumberland 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* ^{Site of the bridge.} That it shall and may be lawful for Joseph Budd and Joshua Budd, their heirs and assigns, to erect, build, support and maintain a ^{Vested in Joseph and Joshua Budd.} good and substantial bridge over and across the Youghiogeny river at or near their ferry, where the great road from Somerset to Washington crosses the same, in Westmoreland county, and that the property of said bridge, when built, shall be, and the same is hereby vested in the said Joseph Budd and Joshua Budd, their heirs and assigns for ever; and that the said Joseph and Joshua Budd, their heirs and assigns, may demand and receive ^{Rates of toll.} toll from travellers and others not exceeding the following rates, viz: For every coach, landau, chariot, phaeton, chair or other pleasurable carriage, for each horse drawing the same, fifteen cents; for every loaded waggon or cart, for each horse drawing the same, twelve and an half cents; for the same carriages when empty, for each horse drawing the same, nine cents; for every sleigh or sled, ten cents for each horse drawing the same; for every single horse and rider, six cents; for every horse or mule with their burden or load, four cents; for every horse or mule without a burden, three cents; for every foot passenger, one cent; for each head of horned cattle, two cents; for each sheep or swine, one cent; and for all waggons or carriages which shall be drawn by oxen, or partly by oxen and partly by horses, two oxen shall be estimated as equal to one horse in ^{Proviso. Exemption from toll in certain cases.} computing the toll, and each mule as equal to one horse: *Provided*, That no toll shall be demanded or taken from any per-

son or persons attending funerals or divine worship, from militia-men going to and returning from muster on days of training, from persons going to and returning from school, or from persons going to or returning from general or township elections:

Proviso, securing the right of private property

And provided, That nothing in this act shall extend to authorise the said Joseph Budd and Joshua Budd, their heirs or assigns, to erect or build a bridge on any private property without the consent of the owner or owners thereof, or to erect the same in such manner as in any way to interrupt or injure the navigation of said river, or the passage over the ford across the same near where the said bridge may be erected.

Navigation not to be interrupted.

SECT. II. *And be it further enacted by the authority aforesaid*, That the said Joseph Budd and Joshua Budd, their heirs and assigns, every third year from and after completing the said bridge, shall lay before the court of quarter sessions of the proper county, an abstract of their accounts, including the capital expended, and of the income and profits of the same, and if it shall appear to the said court, at the end of either of the said triennial periods, that the profits shall have exceeded fifteen per centum per annum on the capital so expended, the toll shall then be reduced so that the clear profits shall not exceed fifteen per centum on the capital stock expended thereon, and if the clear profits shall be less than eight per centum per annum, the said court of quarter sessions shall, by their order, raise the toll in such manner as that the same shall not exceed eight per cent. per annum.

Accounts to be triennially exhibited to gr. sessions.

Tolls to be raised, or lowered in certain cases.

SECT. III. *And be it further enacted by the authority aforesaid*, That if the said Joseph Budd or Joshua Budd shall not commence the building of said bridge within two years from the passing of this act, and complete the same within two years thereafter, then the privileges herein granted shall cease and determine.

Time limited for commencing and completing the work.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the said bridge, herein authorised to be erected, when completed with respect to declaring the same a free bridge, and with respect to the manner of compelling the same to be kept in repair, as it respects the owners thereof, shall be on the same footing of the bridge authorised to be erected by Isaac Meason and Zachariah Connel, across the Youghiogeny at Connelville, in Fayette county, by an act of general assembly, passed the fifteenth day of March, one thousand eight hundred, in the same manner as if the provisions of that act were herein re-enacted.

Reference to a former law as to keeping bridge in repair, &c.

SECT. V. *And be it further enacted by the authority aforesaid*, That the commissioners named in the first section of an act, entitled "An act to authorise the governor to incorporate a company to erect a bridge over Juniata river, at or near Millerstown, in the county of Cumberland," shall be authorised and empowered, on or before the first day of June next, to open books and receive subscriptions of stock for the said company, as fully and effectually as if the books had been opened and subscriptions received agreeably to the directions mentioned in

Commissioners to open books for erecting bridge over Juniata river.

the said act: *Provided*, That the bridge be erected over Juniata at the Sunbury landing in Millerstown aforesaid.

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 CVII.

An ACT to authorise the governor to appoint commissioners to lay out a road from the west end of Brighton bridge to the state line, in a direction to Poland in the state of Ohio.

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 governor be, and he is hereby authorised to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a road to commence at the west end of Brighton bridge, in the county of Beaver, thence to Mount Jackson, ^{Route of the road.} and thence to intersect the state line in a direction to the Poland Centre road, in the first range of townships in the state of Ohio: And the said commissioners shall proceed to perform the said service at such time as the governor shall direct, and they shall deposit a copy of a draft of the said road in the office of the clerk of quarter sessions in each county through which the said road shall pass, and the said clerks respectively shall enter the same on the records of the county, which shall be a record of the said road, and from thenceforth shall be to all intents and purposes a public highway, and shall be opened and kept in repair in the same manner as other roads laid out by the authority of the courts in each county.

SECT. II. *And be it further enacted by the authority aforesaid*, That each of the said commissioners shall receive two dollars for every day he shall be necessarily employed in the service aforesaid, with a reasonable compensation for the hands necessarily employed in chaining and marking the lines of the road aforesaid, and the expense that may be so accrued in laying out and marking said roads in each of the counties through which they may pass, shall be paid by the counties respectively, in proportion to the distance said road may pass through the same, on warrants drawn by the commissioners of each, on the treasurer thereof, in favor of the commissioners to be appointed, the draft of the said road to be made by said commissioners: *Provided*, That before they enter upon the duties of their appointment, they shall take and subscribe an oath or affirmation, before some judge or justice of the peace, to perform the duties