

be taught gratis; *Provided*, the number so admitted shall at no time be greater than four, and that none of the said children so admitted, shall continue in said academy to be taught gratis, should others apply longer than two years.

Number not to exceed four.

SECT. V. *And be it further enacted by the authority aforesaid*, That the said trustees under the penalty of forty dollars each, to be recovered for the use of said corporation, as debts to that amount are by law recoverable, shall annually exhibit all their books, accounts, and vouchers of every kind to the auditors of the said county of Bedford, if the said auditors or any two of them shall require the same to be settled, adjusted, and published in the same manner as the accounts of the county commissioners are by law directed to be settled, adjusted and published.

Trustees to exhibit their accounts to the auditors of Bedford county under a penalty of 40 dollars.

SECT. VI. *And be it further enacted by the authority aforesaid*, That on the receipt of the two thousand dollars herein before mentioned, by the trustees aforesaid, the present charter of the Bedford academy shall be null and void.

Present charter of said academy to be void.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight hundred and ten.

SIMON SNYDER.

CHAPTER CXVIII.

A supplement to an act entitled "An act to enable the Governor of this Commonwealth to incorporate a company for making an artificial road from the intersection of Front street and the Germantown road in the Northern Liberties of the city of Philadelphia, through Frankford and Bristol, to the Ferry at Morrisville, on the river Delaware," and the several acts supplementary thereto.

WHEREAS, the several acts of the general assembly relative to the turnpike road from the intersection of Front street and the Germantown road in the Northern Liberties of the city of Philadelphia, through Frankford and Bristol, to the Ferry at Morrisville on the river Delaware, do not provide a mode for ascertaining and paying a just compensation to individual citizens, whose property, rights and privileges it may be necessary to purchase, take and hold for the uses of the president, managers and company of the Frankford and Bristol turnpike road, authorized by the said acts to make the said road, and to erect a bridge over the Neshaminy creek. And whereas however desirable it may be to encourage and promote the prosecution of the public objects of the said president, managers

and company of the Frankford and Bristol turnpike road, it was not, and is not intended by the legislature to impair or to destroy the property, rights, and privileges of one set of citizens merely for the purpose of transferring the same, with all the emoluments thereof to another set of citizens. And whereas, it appears to the general assembly, that to empower the said president, managers and company of the Frankford and Bristol turnpike road to make a road on the said route. or to erect a bridge over the said creek for the emolument of the said company, by taking and possessing any private estate, property, or privilege heretofore established, sanctioned and enjoyed by law, custom or usage, without paying a reasonable compensation therefor, would be an infraction of constitutional and equitable principles: Therefore,

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,*

President, managers and company of the Frankford and Bristol turnpike company to make tender of the value of lands to be held by them. How said value shall be ascertained.

That whenever the said president, managers and company of the Frankford and Bristol turnpike road shall be desirous for the purpose of making the said turnpike road, leading from the intersection of Front-street and the Germantown road, in the Northern Liberties of the city of Philadelphia, through Frankford and Bristol to the ferry at Morrisville, on the river Delaware, or for the purpose of erecting the said bridge over Neshaminy creek, to take, possess and hold any private estate, property or privilege heretofore established, sanctioned, and enjoyed by law, custom or usage, they shall cause the value of such private estate, property or privilege to be first valued and fixed, and the amount of the valuation thereof shall be first paid or tendered to the owner or claimant of such estate, property, or privilege. in the manner hereinafter specified, that is to say, if the parties cannot agree upon any three persons, then the prothonotary of the court of common pleas, of the proper county in which the estate, property or privilege shall lie, or be enjoyed, upon application made to him, by either party. of which application the party applying shall give the opposite party notice, shall appoint three respectable and disinterested freeholders, residents of the proper county in which the estate, property, or privilege shall lie and be enjoyed, and the three freeholders so agreed upon by the parties, or appointed by the prothonotary, shall, after being first sworn or affirmed, proceed to value any such estate, property, or privilege, conformably to the principles of equity and justice, and the valuation of the said freeholders or any two of them certified to the said court of common pleas, a copy of which shall be delivered to the parties, shall be conclusive; and the said president, managers and company of the Frankford and Bristol turnpike road, having first made or tendered

Award of the referees to be final.

the payment of the amount of such valuation to the proper party (but not otherwise) shall be entitled to enter upon, take, hold, possess and enjoy forever the estate, property, or privilege so valued, and therefrom* to eject and remove the previous owner or claimant.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight hundred and ten.

SIMON SNYDER.

CHAPTER CXIX.

A supplement to an act entitled, "An act to authorize Robert Kennedy, his heirs and assigns, to dig and support a Mill race, in and adjacent to the river Schuylkill near its falls."

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 so much of the fourth section of the act to which this is a supplement as limits the toll therein mentioned to thirty-three cents be, and the same is hereby repealed. and that the said Robert Kennedy, his heirs and assigns, are hereby authorized on his or their having completed, on the western side of the river Schuylkill, at or near its falls, a convenient and well-constructed lock of at least seventy-five feet in length, and twenty feet in width for the safe and convenient passage of all boats and rafts using the navigation of said river, under the restrictions (excepting only as aforesaid) in the said act mentioned, to demand and receive from the masters, owner, or supercargo, or any other person or persons navigating any and every boat passing through the said lock, fifty cents to be paid before such boat pass through the same.

The 4th Section of the original act repealed. R. Kennedy &c. to receive 50 cts. from each person navigating through his Lock.

SECT. II. *And be it further enacted by the authority aforesaid,* That nothing in this act shall be so construed as to authorize the aforesaid Robert Kennedy, his heirs or assigns, to erect any water works on the western side of the river Schuylkill, where the aforesaid lock shall be made.

said Kennedy not to erect water works, &c.

SECT. III. *And be it further enacted by the authority aforesaid,* That so much of the first section of the act to which this act is a supplement as directs the said Robert Kennedy, his heirs and assigns, at his and their own proper costs, to fill up the interstices so as to prevent the water from passing between the

Part of the first Section of the original act repealed.

"Therefore," in the original.