

take toll on the said bridge, shall be subject to be extinguished upon the principles contained in the twenty-fifth section of the act⁽¹⁾ to which this is a supplement.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said company in constructing and erecting said bridge, shall leave a sufficient road to enable any person or persons desirous to pass over the fording of the said creek, to pass and re-pass the same, if he or she or they shall choose so to do.

Approved April 4, 1807. Recorded in L. B. No. 10, p. 508.

Note (*) Chapter 2440 and note; 17 Statutes at Large, p. 6.

Note (2) Chapter 2008; 16 Statutes at Large, p. 130.

CHAPTER MMDCCCIX.

A SUPPLEMENT TO THE ACT ENTITLED "AN ACT DIRECTING THE MODE OF SELECTING AND RETURNING JURORS." (*)

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 it shall be the duty of the assessors of the several townships and districts within this commonwealth, and of the assessors of the several wards in the city of Philadelphia, and of each borough, to return the names of all the white male taxable citizens, liable to serve as jurors, of competent ability, understanding and knowledge of the English language, to the county commissioners of their respective counties; and it shall be the duty of the county commissioners aforesaid, to deposit the names of the persons so returned to them, in the proper wheels in proportion to the numbers requisite for each; and every assessor, or county commissioner who shall neglect or refuse to perform the duties assigned to them by this act, shall forfeit and pay the sum of fifty dollars for every such neglect or refusal: Provided al-

ways, that the said commissioners and assessors, before they proceed to the duties assigned to them by this act, shall be sworn or affirmed to a faithful discharge thereof.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That whenever any process shall be issued for summoning a jury in any of the courts of this commonwealth, the sheriff shall, immediately on receiving the same, give notice thereof to the county commissioners; who, or any two of them with the sheriff, shall proceed to draw out of the proper wheel as many of the slips of paper therein contained, as there are jurors to be summoned upon such process; and the names contained on such slips of paper, shall be the persons who are to be summoned to serve as jurors at the then next court; unless any of them shall be dead, or shall have changed their place of residence to any other county, or be absent from the county; and if the persons named on any of the said slips of paper so drawn, shall be dead or removed, then they shall destroy such slips of paper, and proceed to draw out of the said wheel until the said panel shall be completed; and it shall be the duty of the sheriff to summon the several persons whose names are so drawn out, at least ten days previous to the sitting of any such court, and to make return in what manner he has served such process.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the prothonotaries or clerks of the several courts shall, after the end of each term or session, certify to the sheriff and commissioners, the names of the jurors who appeared and served at such court; and also those who made default, or were excused from serving, or were privileged or exempted from serving on juries; and the names of those who made default, or were excused from serving, shall be returned immediately to the wheel from which they were drawn; and those who were privileged or exempted from serving shall not again be put into the wheel.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said assessors shall, at the end of every term of three years, and oftener if all the

names shall be sooner drawn from the said wheels make return in manner aforesaid, of all the taxable citizens qualified as hereinbefore mentioned; and the names of the persons so returned shall again be deposited in the proper wheels: Provided, that if the name of any person shall be drawn from the wheel who has served as a juror within one year preceding the said drawing, he shall not be compelled to serve, but his name shall be returned to the wheel, and another drawn in his stead.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the number of special jurors to be drawn, summoned and returned to serve in the court of common pleas of Philadelphia county, and in the court of nisi prius holden in said county, shall be forty-eight; and the number of general or common jurors shall not be less than forty-eight, nor more than sixty; and in any other county not less than thirty-six, nor more than sixty.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That this act shall take effect at the first term, or sessions in each county, to be holden after the first day of January next; from and after which day so much of the act⁽¹⁾ to which this is a supplement, as is hereby altered or supplied, be, and the same is hereby repealed: Provided, that the fifth section of this act shall go into operation at the first drawing of jurors, after the last day of May next.

Approved April 4, 1807. Recorded in L. B. No. 10, p. 510.

Note (*) Chapter 2539; 17 Statutes at Large, p. 1011.

CHAPTER MMDCCCX.

AN ACT FOR EXPLORING AND MAKING A ROAD FROM THE POINT WHERE THE COSHECTON AND GREAT BEND TURNPIKE PASSES, THROUGH MOOSIC MOUNTAIN, IN A WESTERN DIRECTION TO THE WEST LINE OF THE STATE.

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