

No. 250.

A N A C T

To establish a public ferry across the Clarion river, at or near Armstrong's mills, in the counties of Jefferson and Forest; relative to the Lock Haven bridge company; to a dam on the Bald Eagle; to obstructions in certain rivers; and the Great Island bridge company.

SECTION 1. *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* William Armstrong, his heirs and assigns, shall have the right at his and their own proper costs, to make a good and convenient landing on the Clarion river, in the counties of Jefferson and Forest, at or near where the Brookville and Warren state road crosses said river; and the owner or occupyer of the said ferry, shall keep good and substantial boats and flats, and careful ferrymen, who shall constantly, as the occasion may require, attend for the purpose of transporting travelers and others across the said river, and on failure thereof, unless prevented by some unavoidable occurrence, he shall forfeit and pay a fine of five dollars, besides the actual damages sustained by any person who shall experience a detention, and shall sue for the same within ten days thereafter, before any justice of the peace in the said counties of Jefferson or Forest, the fine and damages to be paid to the person or persons thus detained and who sues for the same; and for services rendered shall receive from time to time the following rates of toll: for each footman three cents; for each person and horse ten cents; for each one-horse carriage fifteen cents; for each two-horse wagon or carriage eighteen cents; for each four-horse wagon or carriage twenty-five cents; for each additional horse six cents; for each horse without six cents; for each head of horn or neat cattle led or drove two cents; for each head of sheep or swine led or drove one cent; for each yoke of oxen ten cents: *Provided*, That nothing in this act contained shall be so construed as to give the said William Armstrong, or his legal representatives, the right to receive or discharge any travelers, carriages or other loading, on land belonging to other persons, without the consent of the owner or occupyer, except in or upon the public road aforesaid, so long as the same shall remain a public highway.

SECTION 2. That at any time when twenty or more citizens shall petition the court of quarter sessions in the county of Jefferson, or the county of Forest, setting forth that they have just reason to believe that the rates of ferryage are too high and ought to be reduced, it shall be the duty of the said court to lay the same before the grand jury of the said county, who are hereby authorized and required to hear the parties, and if in the opinion of them, or a majority of them, the rates are too high or low, they shall reduce or raise the same in such proportions as they may deem equitable and just: *Provided*, That the aforesaid ferry shall be subject to such rules and regulations as the courts of quarter sessions of said counties may direct.

SECTION 3. That the last proviso to the ninth section of an act to authorize the governor to incorporate the Lock Haven bridge company, approved the fourth day of March, one thousand eight hundred and

Public ferry,
across Clarion
river, in the
counties of Jef-
ferson and For-
est, to establish.

Toll.

Proviso.

Remedy in case
of charging an
excess of toll.

Last proviso of
the ninth section
of certain act in-

fifty, be and the same is hereby amended so as to read as follows: *And* incorporating the *provided further*, That the court of common pleas of the county of Lock Haven Clinton, shall on the application of any stockholder, or other person bridge company, interested, appoint three disinterested persons to be arbitrators, whose amended. duty it shall be to appoint a time and place for hearing the claims of Proviso. the owners of ferries or others, for injury done, or that may be done to private property in the erection and construction of said bridge; the said arbitrators shall give notice to the owners of the ferries, or others owning real estate where said bridge shall be, or may be proposed by said company to be erected, at least twenty days before the time fixed for said hearing, of the day and hour and place of meeting; and it shall be the duty of all persons notified as aforesaid, to appear before said arbitrators at the time and place fixed for the hearing aforesaid, and then and there submit all claims they may have for damages on account of the erection of said bridge; and the said arbitrators shall be sworn or affirmed, justly and equitably to try all matters in variance submitted to them by the said owners and the said bridge company; and having heard the parties, their proofs and allegations, they, or a majority of them, shall make out their award in writing, giving the said owners such sum, if any, as in their opinion may be just and proper for their damages as aforesaid; and the said award shall be entered of record in said court, as awards are now entered under the compulsory arbitration law, and shall be subject to appeal by either party within twenty days, as is allowed in other cases of awards, and the said appeal when so entered, shall be prosecuted in said court as if an original action had been brought therein; should any person notified as aforesaid, neglect or refuse to appear before said arbitrators, at the time and place fixed for hearing, the said arbitrators shall proceed to give judgment of nonsuit against such party, subject to appeal as aforesaid.

SECTION 4. That James Caldwell and Daniel Richards, of Clinton county, be and are hereby authorized to erect a dam not to exceed in height low water mark, over the Bald Eagle creek, near the mouth of Fishing creek, in the said county of Clinton, in such manner as shall do no damage to public property.

Jas. Caldwell, and Daniel Richards, authorized to erect a dam over the Bald Eagle creek.

SECTION 5. That the Pennsylvania coal company shall have power to hold such lands wherever situated, as may be requisite for wharves, basins, depots, stations or other necessary facilities for the accommodation of their business; and may issue not exceeding sixteen thousand shares of fifty dollars each, of additional capital of said company, and may dispose of the same as the directors may think proper: *Provided*, That said company shall pay to the state treasurer for the use of the commonwealth, one per centum on said increase of capital when such increase shall be made, in eight annual instalments.

Additional powers granted to the Pennsylvania coal company.

SECTION 6. That from and after the passage of this act, any person or persons who shall wilfully cast, throw, place, or cause to be cast, thrown or placed in the channel of the West Branch of the Susquehanna river within the county of Clearfield, or any of its navigable tributaries in said county, below high water mark, any slab or slabs, edgings, or other refuse pieces of lumber or floating materials of timber kind, and shall be convicted on indictment in the court of quarter sessions of said county of Clearfield, shall be sentenced to pay a fine of not less than five dollars nor more than one hundred dollars, at the discretion of the said court.

Penalty for obstructing the navigation on the West Branch in Clearfield county, &c.

SECTION 7. Any person or persons who shall wilfully cut and fall, or cause to be cut and felled into the said West Branch of the Susquehanna river in said county, or its navigable tributaries in said county of Clearfield as aforesaid, any tree or trees, sapling or saplings, or cast in

Further restrictions.

LAWS OF PENNSYLVANIA,

any tree top or tops, and leave the same remaining in the channel of the stream in said county of Clearfield as aforesaid, for a longer period than twenty-four hours, upon conviction in the court aforesaid, in the manner aforesaid, shall be fined in any sum not less than five nor more than one hundred dollars; and all fines recovered by this act shall be one-half for the supervisors of the roads, to be worked out on the roads of the proper township within where the offence is committed, and the other shall be paid to the informer: *Provided*, That nothing in this act shall extend to persons putting in lumber, timber or other floating material, for the purpose of running the same to market, or for other lawful purposes, and which is intended to be run or taken out in a reasonable time.

Great Bend Island bridge company, amendment of act of incorporation of.

SECTION 8. That the first section of an act, entitled "An Act to authorize the governor to incorporate the Great Island bridge company," approved the eleventh day of June, one thousand eight hundred and forty, be amended as follows: that Robert M'Cormick, George Crawford, John Fleming, Wm. Morrison, Robert Miller, Chapman Else, John Gallaher, George Crane, Thomas W. Lloyd, Wm. Morrison, James A. Crawford, James Innis and James Wilson, be and they are hereby appointed commissioners.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The second day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 251.

AN ACT

To correct a mistake in the amount of certain property assessed for state taxes in Juniata county.

WHEREAS, The board of revenue commissioners in their certified report of the seventeenth of March, one thousand eight hundred and forty-eight, have through mistake charged the county of Juniata with an amount of property subject to a tax of one per cent. on the dollar, of one hundred and seven thousand six hundred and forty-two dollars:

And whereas, The true amount of the above described property, according to the certified assessment of the commissioners of said county, is only twelve thousand six hundred and eighty-three dollars; therefore,

SECTION 1. *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 in the adjustment of the said taxes the sum of twelve thousand six hun-