

when the election is closed, shall count the votes, and declare who have been elected, and make, forthwith, return thereof to the president and managers of said company.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 200.

AN ACT

To establish a Public Ferry on the Allegheny river at Elliott's Ferry, in President township, Venango county.

Authority to Robert P. Elliott to make landings.

Proviso.

Proviso.

Proviso

To keep good and substantial boats.

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 Robert P. Elliott, his heirs and assigns, shall have the right and privilege at his or their own proper cost and charges, to make good and convenient landings on each side of the Allegheny river at Elliott's Landing in President township, and county of Venango, and also the right and privilege of erecting posts on any land or lands contiguous to or adjoining said landings, and to extend therefrom and across said river Allegheny a rope, chain or wire, in order to facilitate the crossing said stream: Provided, That the said rope, chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of craft navigating said river: Provided also, That the said Robert P. Elliott, his heirs and assigns, shall pay to the owner or owners of said land or lands on which the before mentioned posts may be erected, all damages which may accrue to said owners in consequence thereof, which said damages shall be assessed by a jury of six persons, appointed by the court of common pleas of said Venango county, and their report and proceedings shall be the same in every respect as in the case of opening roads under existing laws; Provided also, That nothing herein contained shall be so construed as to prevent at any time the erection of a bridge over the said river where the public road crosses at or near said ferry.*

SECTION 2. The said Robert P. Elliott, his heirs and assigns, shall keep good and substantial boats and flats and careful ferry-men, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others across the said river, and on the failure thereof unless prevented by some unavoidable occurrence, he or they shall forfeit and pay a fine

of five dollars besides the actual damages done to any person who shall suffer detention therefrom, and shall sue for the same within ten days thereafter before any justice of the peace within the townships of President and Cornplanter, in the said county of Venango.

SECTION 3. The said Robert P. Elliott, his heirs and assigns, Tolls. for keeping and maintaining the said landings and ferry as aforesaid, shall receive a compensation from persons passing over said river at such ferry, at the following rates, to wit: for each foot person five cents; for each person and horse ten cents; for each one-horse carriage eighteen and three-quarter cents; for each two-horse carriage or wagon twenty-five cents; for each four horse wagon thirty-seven and a half cents; for each additional horse five cents; for each head of horned or neat cattle led or drove three cents; for each head of sheep or swine led or drove one cent; for each yoke of oxen ten cents.

SECTION 4. If any person or persons shall wilfully pull down, cut, break or in any manner injure or destroy any posts, ropes, wires, chains, boats or other property belonging to the said ferry, he, she or they so offending, shall each and every of them forfeit and pay to the said proprietor or proprietors the sum of fifteen dollars, in addition to all damages sustained by the said proprietor or proprietors, to be recovered as debts of like amount are by law recoverable, or in default of payment thereof undergo imprisonment in the county prison for any term not exceeding three months, at the discretion of the justice before whom suit is brought. Penalty for injury to works.

SECTION 5. That at any time when twenty or more citizens shall petition the court of quarter sessions in the county of Venango, setting forth that they have just reason to believe that the rates of ferriage are too high and ought to be reduced, or too low and ought to be raised, 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 a majority of them the rates are too high or too low, they shall reduce or raise the same in proportions as they may deem equitable and just: *Provided also*, That the aforesaid ferry shall be subject to such other rules and regulations as the court of quarter sessions may direct. Powers of court of quarter sessions to determine ferriage.

SECTION 6. That no person or persons shall be permitted to keep a public ferry within one mile above or below said ferry. Provide.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The thirty-first day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.