

CHAPTER LXXXIX.

[AN ACT FOR ERECTING A BRIDGE OVER THE CREEK AT CHESTER IN THE COUNTY OF CHESTER.

Whereas the town of Chester is daily improving, and that there is lately confirmed by the governor and council a commodious piece of land for enlarging the same, which if duly encouraged may in after ages be very advantageous to the province and territories, more especially to the inhabitants of the said county; but forasmuch as the lower part of that county and others traveling that way have no road to the said town or bridge over the said creek:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same,¹ That the county court for the county of Chester to be held next after the publication hereof shall lay out a road from what part of the King's road they shall think most convenient, provided they bring it to the place laid out by the subscribers, to be as near as can be to Ralph Fishbourn's for a bridge to be built as hereafter expressed.

[Section II.] And be it enacted by the authority aforesaid, That it shall and may be lawful for the inhabitants of the town and county of Chester, or any others joining with them by subscription, to erect and build a draw-bridge in such place over the said creek as the majority of them shall think fit; and all persons subscribing the sum of fifteen shillings or more, and their respective heirs, shall be free and exempt from any rate that by this law may be taken of others passing and repassing the said bridge.

But forasmuch as the mills built upon that creek are and have been beneficial to the country] by encouraging the wheat trade, and otherwise to the benefit of the back inhabitants

¹ The enacting clause is defective in the Act Book, and has been supplied by the Commissioners.

and others going by land or water to the said mills, and that the owners of the said mills have been at great charge and trouble from time to time for erecting, repairing, and still are like to be for maintaining the same for trade:

[Section III.] Be it enacted by the authority aforesaid that the said subscribers shall at all times provide a fit person to attend the said draw-bridge, who shall draw up the same sufficiently for sloops, shallops, boats and small vessels to go up and down the said creek to the said mills without let or damage, at any time when required by any person that shall be going with such vessel or vessels to or from the said mills; and that there shall be left twenty feet at least where the bridge is erected, clear betwixt the timber or stone-work from the one side to the other of the said creek, that floats of logs may not be hindered from coming and going to the said mills; and if at any time the said bridge shall be a let or hindrance to any sloop, shallop or boat, or small vessel with mast and rigging, or float of logs, to pass by water up and down the said creek to and from the said mills, that then, on proof thereof made before the next county court for the said county, just and real damages shall be paid to the party grieved by the said undertakers.

And in case the said impediments be not removed, then the said bridge shall be pulled down by order of the governor and council.

Provided always, No person shall at any time be obliged to help or pay towards the building or maintaining the said bridge without his free will and consent.

[Section IV.] Be it further enacted, That it shall and may be lawful for the subscribers within the said town and county, or the majority of them, to appoint a person to receive for each horse passing over the same the sum of one penny; and for each cart laden or unloaded the sum of two pence; which said rate or money so received shall be disposed of as the majority of the subscribers from time to time shall appoint, more especially for the encouragement of some person that may or shall attend the said bridge in order to the accommodating the boats, sloops or shallops that shall have occasion to pass up the said creek or down it as aforesaid.

Provided also and it is hereby intended, The said inhabitants or the subscribers shall satisfy and pay those persons to whom the lands belong to which the[y] fasten the said bridge on both sides [of] the creek.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II.

CHAPTER XC.

[AN ACT ABOUT COUNTRY PRODUCE TO BE CURRENT PAY IN THE TERRITORIES OF THE PROVINCE OF PENNSYLVANIA.]

Whereas there is a necessity, for the sake of commerce, that the growth and produce of the territories annexed to the Province of Pennsylvania shall pass in the lieu of money:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all merchantable wheat, rye, indian-corn, barley, oats, pork, beef and tobacco, shall be accounted current pay at the market price within the said territories; except where contract is made for silver-money or other specie.

Provided, That where the debtor hath divers sorts of such country produce as aforesaid, it shall be in the election of the creditor which of them he will accept for his debt.]

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon.

This act applies only to the lower counties where it was probably never recognized: the portion of the original roll containing it has been entirely destroyed and the text above given is supplied from Act Book A, page 96.