

aforesaid; and for the second offense the sum of ten pounds, to be recovered as aforesaid; and for the third offense to be removed or displaced by the county court, or other court of record where he shall be convicted of any of the said offenses mentioned in this act; and in such case the justices of the said county court, or other court of record where he shall be convicted as aforesaid, shall appoint another person to keep the said ferry, under the same restrictions and limitations as herein is prescribed and directed.

Passed May 22, 1722. Apparently never considered by the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix V, Section I, and the Act of Assembly passed February 8, 1766, Chapter 533, and the note thereto.

CHAPTER CCLIX.

AN ACT TO ERECT [AND] ESTABLISH A FERRY ON THE LANDS OF THOMAS YARDLEY, OF MAKEFIELD TOWNSHIP, IN BUCKS COUNTY.

Whereas it is necessary that a ferry be erected and established in Makefield, upon the land of Thomas Yardley, over Delaware River, for the better accommodation of passengers traveling in this province:

[Section I.] Be it therefore enacted, by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That there shall be erected and kept a ferry at the landing place of the aforesaid Thomas Yardley, which said ferry shall be kept by the said Thomas Yardley, his executors, administrators and assigns, at the place aforesaid, who shall and are hereby required, at all convenient times, to maintain and keep the said ferry with [such] good, sufficient boat and hands to attend the same as shall from time to time be needful for the carriage of all persons, cattle, horses and goods which, at the place aforesaid, are to be carried over the said river.

And also, that the said Thomas Yardley and his successors shall, at all times hereafter (during the time limited by this act), by him or themselves or servants, give constant and due attendance on the said ferry.

And the said Thomas Yardley and his successors shall have and receive for ferriage over, at the place aforesaid, of all persons (the proprietary and his lieutenant-governor, and their attendants, excepted) the rates and prices following: (That is to say)

For every single horse and rider, seven pence halfpenny, and when a greater number shall be carried together, six pence each.

For every single person on foot, three pence, and when a greater number together, two pence each.

For every single ox, cow or heifer, nine pence; and when a greater number is carried together, seven pence halfpenny each.

For every single sheep, two pence; but when a greater number together, one penny each.

For every single hog, four pence; and when a greater number together, three pence each.

And for (a) loaded wagon, one shilling and six pence, and no more; and for every empty wagon, one shilling, and no more.

And for every sled, six pence, and no more.

And if the said Thomas Yardley, his executors, administrators or assigns, shall not maintain and keep such a sufficient boat, as aforesaid, with sufficient and able hands; or shall not give constant and due attendance on the service of the said ferry; or shall demand any greater, or other fees, for the carriage of any passenger, cattle, horses, hogs or sheep, than is hereinbefore limited and appointed, then and in every such case he shall forfeit and pay the sum of five pounds lawful money of this province for every such offense; one moiety to the governor for support of government, and the other moiety to the party grieved, who shall sue for the same, by bill, plaint or information in any court of record in this province, wherein no essoin, protection or wager of law shall be allowed.

[Section II.] And be it further enacted by the authority

aforesaid, That he, the said Thomas Yardley, his executors, administrators and assigns, shall and may hold and enjoy the said ferry, for and during the term of fourteen years, from the publication of this act, if he or they shall so long behave themselves well therein; and that no other person or persons shall hereafter for and during the said term of fourteen years, presume to carry any passengers, horses, cattle, sheep or hogs, for any wages, hire or reward whatsoever, over the said river Delaware, from this province to New Jersey, within the space of two miles either above or below the abovesaid ferry, under the penalty of ten pounds forfeiture for every such offense, one moiety thereof to the governor for the support of government, and the other moiety to such as shall, from time to time, be appointed to keep the said ferry, as aforesaid.

[Section III.] And be it further enacted by the authority aforesaid, That in case the said Thomas Yardley shall refuse to provide a boat and keep the said ferry as by this act is directed and allowed, then it shall and may be lawful for the proprietary, his heirs and assigns, or his or their commissioners of property for the time being, to appoint any other person for that purpose, under the same restrictions and limitations hereinbefore expressed; and such person so appointed shall or may be accommodated at the place aforesaid with a suitable house, or so much convenient land to erect one on not exceeding one acre, at such rates as the county court and grand jury shall adjudge reasonable, to be paid by the undertaker thereof to the owner; which land so assigned, as aforesaid, with the improvements shall be deemed and held as the estate of the improver or occupier thereof, his heirs and assigns, and shall be liable only to be alienated by the county court and grand jury, on such reasonable allowances as they shall think fit, as aforesaid, to any other person, for the same uses as is above expressed, any law, usage or custom to the contrary hereof in anywise notwithstanding.

Passed May 22, 1722. Apparently never submitted to the consideration of the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix V, Section I, and the Act of Assembly passed February 8, 1766, Chapter 533, and the note thereto.