

bequest to or from the said corporation, provided the intent of the parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was to pass to or from the said corporation, nor shall any disuser or nonuser of the rights, [privileges,] liberties, jurisdictions and authority hereby granted to the said corporation or any of them create or cause a forfeiture thereof.

[Section XII.] (Section XIII. P. L.) And be it further enacted by the authority aforesaid, That the clear yearly value of the messuages, houses, lands, tenements, rents, annuities or other hereditaments and real estate of the said corporation shall not exceed the sum of three thousand pounds lawful money of the state of Pennsylvania in specie exclusive of the moneys arising from the letting of the pews belonging to the said church, and also exclusive of the money arising from the opening of the ground for burials in the church yard belonging to the said church and exclusive of the tuition moneys which may or shall be paid by the youth or pupils in the said school or academy.

Passed September 20, 1787. Recorded L. B. No. 3, p. 325, etc.
See the Act of Assembly passed March 1, 1799. Chapter 2021.

CHAPTER MCCCXIII.

AN ACT FOR ESTABLISHING AND BUILDING A BRIDGE ACROSS CONESTOGA CREEK IN THE COUNTY OF LANCASTER.

(Section I. P. L.) Whereas it hath been represented to this house by the petitions of a considerable number of the inhabitants of the county of Lancaster that the erecting of a good and substantial bridge across the Conestoga creek on the great road leading from the city of Philadelphia to the borough of Lancaster in the county of Lancaster would greatly benefit the trade and general interest of the community which at present are considerably impeded by the frequent rise of the waters of

said creek and the badness of the landing places on each side thereof.

And whereas Abraham Witmer in order to effect an uninterrupted communication between the city of Philadelphia and the western counties of this state and at the same time to obtain some advantages to himself and family is desirous of erecting a bridge as aforesaid across the said creek at his proper cost and expense and therefore hath prayed the general assembly to vest the said bridge when built in him, his heirs and assigns forever with liberty to demand and receive such toll or fees from travellers as hereinafter mentioned and expressed, the said Abraham Witmer engaging for himself, his heirs and assigns that if at any future day the legislature shall think proper to make the same a free bridge he or they shall surrender and give up their right to receive toll for the said bridge upon reasonable compensation for his trouble and expense to be estimated by indifferent persons chosen equally by the parties as hereinafter is expressed and declared:

And whereas the plan proposed by the said Abraham Witmer for erecting a toll bridge over Conestoga creek appears to this [house] to be beneficial to the public:

Therefore:

[Section I.] (Section II P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That the property of the aforesaid bridge when built shall be, and the same is hereby vested in the said Abraham Witmer, his heirs and assigns forever, and that the said Abraham Witmer, his heirs and assigns shall and may demand and receive toll from travellers and others according to the following rates (viz.) For every coach, landau, chariot, phaeton, wagon or other four wheeled carriage the sum of one shilling and six pence; for every chaise, riding chair, cart or other two wheeled carriage the sum of nine pence; for every sled the sum of one shilling; for every single horse and rider the sum of four pence; for every foot passenger the sum of two pence and one penny for every head of horned cattle, sheep or swine crossing the same.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said Abraham Witmer, his heirs and assigns, to erect and build, maintain and support, a good and substantial bridge over and across the said creek at the place aforesaid. Provided nevertheless, That a passage on said road of twenty feet wide in a direct and straight line on the north side and at both ends of said bridge be left free, open and clear of every encumbrance or interruption whatsoever.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That if the said Abraham Witmer, his heirs or assigns or whosoever shall hereafter own or possess the same bridge, shall exact or demand any greater or other rates or prices for the passage over the same than what is hereinbefore prescribed or specified or shall neglect to keep the said bridge in good repair, he, she or they so offending shall for every such offense forfeit and pay the sum of ten pounds one moiety thereof to the poor of the townships of Lanscaster and Lempeter in the county of Lancaster in equal portions and the other moiety to the party complaining or who may sue for the same, to be recovered before any justice of the peace of the said county, who is hereby empowered on information made to him on oath of any such offense to issue his summons or warrant to any constable of the county commanding him to bring or to cause every person against whom such information shall be made to come before him and on due proof of the said offense to convict such person thereof and on such conviction to issue his warrant after the expiration of five days from the date of such conviction to any such constable to levy the said sum of money on the goods and chattels of such offender by distress and sale thereof, and in case no goods or chattels of the said offender can be found on which to make such distress then to take his body and commit him to the gaol of the county where such offense is committed until the said sum be paid. Provided always, That any person as aforesaid convicted who shall find himself aggrieved thereby may within the said five days appeal to the next court of quarter session for the county, which appeal, on giving security

within the said time before the said justice by two sufficient freeholders of the county to pay all costs, shall be allowed and if the conviction so made by the said justice shall be confirmed the said justice shall proceed to levy the said forfeiture in manner hereinbefore directed.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That all poor persons exempted from the payment of county rates and levies shall have liberty to pass and repass the same bridge toll free.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That whensoever at any time after the erection and building of the said bridge it shall seem expedient to the legislature to constitute and make the said bridge so erected and built a free bridge by a law to be enacted for that purpose, three commissioners shall be appointed by the legislature on the part of the commonwealth and three by the said Abraham Witmer, his heirs and assigns, who, or any four or more of them shall estimate what sum or sums of money the said Abraham Witmer, his heirs and assigns shall be entitled to receive as a compensation for his trouble and expenses in building and maintaining the said bridge, which sum or sums shall be paid to him or them out of the treasury of this commonwealth.

Passed September 22, 1787. Recorded L. B. No. 3, p. 304, etc.
See the Act of Assembly passed April 4, 1798, Chapter 2010.

CHAPTER MCCCXIV.

AN ACT TO INCORPORATE AND ENDOW AN ACADEMY OR PUBLIC SCHOOL IN THE TOWN OF WASHINGTON.

(Section I. P. L.) Whereas the education of youth has ever been found to be of the most essential consequence as well to the good government of states and the peace and welfare of society as to the profit and ornamentation of individuals, in so much that from the experience of all ages it appears that sem-