

filing their claims as above directed, and otherwise complying with the terms and stipulations of said act, shall be entitled to all the advantages and benefits contemplated by the said act, to which this is a supplement.

Passed March 15, 1800. Recorded L. B. No. 7, p. 176.

CHAPTER MMCXXXIX.

AN ACT TO AUTHORIZE ISAAC MEASON AND ZACHARIAH CONNELL, THEIR HEIRS AND ASSIGNS, TO ERECT, BUILD AND MAINTAIN A TOLL BRIDGE ACROSS THE YOUGHIOGHENY RIVER, AT CONNELLSVILLE, IN FAYETTE COUNTY.

[Section I.] (Section I, P. L.) 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 it shall and may be lawful for Isaac Meason and Zachariah Connell, their heirs or assigns, to erect, build, support and maintain a good and substantial bridge over and across the Youghioghenny river, at Connellsville, near where the great road leading from Philadelphia to Uniontown crosses said river, and that the property of the said bridge, when built, shall be, and the same is hereby, vested in the aforesaid Isaac Meason and Zachariah Connell, their heirs and assigns forever; and that the said Isaac Meason and Zachariah Connell, their heirs or assigns, may demand and receive toll from travelers and others, not exceeding the following rates, viz.: For every coach, landau, chariot, phaeton, chair or other pleasurable carriage, for each horse drawing the same, fifteen cents; for every loaded wagon or cart, for each horse drawing the same, twelve and a half cents; for the same carriages when empty, for each horse drawing the same, nine cents; for every sleigh or sled when loaded, ten cents for each horse drawing the same; for the same when empty, seven cents for each horse drawing the same; for every single horse and rider, six cents; for every horse or

mule, with their burden or load, four cents; for every horse or mule, without a load or burden, three cents; for every foot passenger, one cent; for each head of horned cattle, two cents; for each sheep or swine, one cent; and for all carriages, which shall be drawn by oxen, or partly by oxen and partly by horses, two oxen shall be estimated as equal to one horse in charging all the aforesaid respective tolls, and each mule as equal to one horse. Provided always nevertheless, That nothing in this act contained shall extend to authorize the said Isaac Meason and Zachariah Connell, their heirs or assigns, to erect or build a bridge in the manner in this act before mentioned, on any private property, without consent of the owner or owners thereof, or to erect the same in such manner as in any way to interrupt or injure the navigation of said river, or the passage over the ford across the same, near where the said bridge may be erected.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That all poor persons, or who may be exempted from paying of county rates and levies, shall have liberty to pass and repass over and across said bridge toll free.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said Isaac Meason and Zachariah Connell, their heirs and assigns, every third year from and after completing the said bridge, shall lay before the court of quarter sessions of the proper county, an abstract of their accounts, including the capital expended, and of the income and profits of the same; and if it shall appear to the said court, at the end of either of the said triennial periods, that the profits shall have exceeded twenty *per centum per annum* on the capital so expended, the toll shall then be reduced so that the clear profits shall not exceed twenty *per centum per annum* on the capital stock expended thereon.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if the said Isaac Meason and Zachariah Connell, their heirs and assigns, shall not proceed to carry on the said work within one year from and after the passing of this act, or shall not within three years complete the same, according to the true intent and meaning of this act, then and in either of those cases, all and singular the rights, liberties, privi-

leges and franchises hereby granted to the said Isaac Meason and Zachariah Connell, their heirs and assigns, shall revert to this commonwealth.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if the grand jury, in concurrence with the commissioners of said county, shall think proper that the said bridge should become free, then the commissioners of the said county, together with three persons chosen by the said Isaac Meason and Zachariah Connell, their heirs and assigns, shall proceed to estimate the value of the property which the said Isaac Meason and Zachariah Connell, their heirs and assigns, have in said bridge; and the sum agreed on by a majority of them shall be laid before the next court of quarter sessions, and if the court approve the same, then the said commissioners shall draw their warrant in favor of the said Isaac Meason and Zachariah Connell, their heirs and assigns, on the treasurer of said county, for the amount of the said valuation or sum, and on payment or tender thereof, the said bridge shall be a free bridge; but if the said Isaac Meason and Zachariah Connell, their heirs and assigns, shall at any time, on reasonable notice, refuse or neglect to choose three persons, in the manner before mentioned, the said commissioners may proceed *ex parte* in making the valuation, and the same proceedings shall be thereupon had, as if the said Isaac Meason and Zachariah Connell, their heirs or assigns, had chosen three persons in the manner hereinbefore mentioned.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if the said Isaac Meason and Zachariah Connell, their heirs and assigns, shall neglect to keep said bridge in good and perfect order and repair for the space of three days, and information thereof shall be given to any justice of the peace within said county, such justice shall issue his precept, directed to any constable, commanding him to summon three judicious freeholders, to meet at a certain time in the said precept to be mentioned, at the [said] bridge, and of said meeting notice shall be given unto the aforesaid Isaac Meason and Zachariah Connell, their heirs and assigns, and the said justice

shall at such time and place, by the oaths or affirmations of the said freeholders, inquire whether the said bridge is in such [good and perfect] order and repair as aforesaid; and if the said bridge shall be found by the said inquisition, or a majority of them, to be out of order and repair, according to the true intent and meaning of this act, he shall certify the same, and send a copy thereof to the said Isaac Meason and Zachariah Connell, or either of them, their heirs or assigns, and from thenceforth the said tolls hereby granted shall cease to be demanded, paid or collected, until the said defective part or parts of the said bridge shall be put in good and perfect order and repair as aforesaid.

Passed March 15, 1800. Recorded L. B. No. 7, p. 165, etc.

CHAPTER MMCXL.

A SUPPLEMENT TO AN ACT, ENTITLED, "AN ACT ERECTING PART OF THE COUNTY OF YORK INTO A SEPARATE COUNTY."¹

Whereas by the twelfth section of the act to which this is a supplement, the Reverend Alexander Dobbin and David Moore, are appointed trustees to receive and enforce the payment of money secured for the purpose of erecting the public buildings in the county of Adams, in consequence of which appointment, considerable sums of money will be due and payable to the said trustees in the course of the ensuing summer. And whereas there are no person or persons authorized or appointed to proceed to erect the said buildings. Therefore:

[Section I.] (Section I, P. L.) 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 it shall and may be lawful for William M'Clellan, Henry Hoke and William Hamilton, or any two of them, to contract for a lot or lots of ground, in a suitable

¹Passed January 22, 1800, Chapter 2097.