

CHAP. 265.

between the said Alexander Donoho, and the said Commissioners of Somerset county, who have been substituted for said Levy court, touching the building of the said bridge across Lew's Thoroughfare, in Somerset county, and after considering all the circumstances in relation thereto, and hearing all the allegations and proofs of both parties, the said judges of Somerset county court, discarding all objections to the validity of the said contract, for the building of the said bridge, and all other objections merely technical, shall decide what sum of money the said Alexander Donoho is entitled to, in equity and good conscience, for the building of the said bridge, and the said judges shall certify their decision, and the sum by them awarded to be paid to the said Alexander Donoho for the building of the said bridge to the commissioners of Somerset county, who are hereby authorised and required immediately on the said award being made known to them, to pay, or cause to be paid, out of the public funds of the said court, the amount of said award, to the said Alexander Donoho, or his legal representative, unless the said commissioners should be of opinion that the immediate payment thereof would be prejudicial to the public interest, and in that case the said commissioners may postpone the payment, not exceeding twelve months, and pay or cause to be paid interest on the amount of said award, at and after the rate of six per centum, per annum, *provided however*, before the said judges of Somerset county court shall entertain the petition of the said Alexander Donoho, the said judges shall be satisfied by such proof as they may require, that the said Alexander Donoho hath given at least three weeks notice in writing, to the said commissioners, of his intention to apply for the benefits of this act.

Proceedings authorised

Sec. 2. *And be it enacted*, That both of the said parties may appear and be heard before the said judges by counsel, or otherwise, and it shall be the duty of the said judges to cause to come before them by process of summons and attachments, as in other cases, all such witness or witnesses, as may be required by either party, and the said judges may in their discretion cause issue or issues to be framed and tried by the

Regardless of technicalities

Certify their decision

Payment directed

Postponement authorised

Notice required