

CHAPTER CLXI.

AN ACT

Relative to the repairing of bridges and the collection of exempt fines in the city and county of Philadelphia.

SECT. 1. *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*

Bridges how kept in repair

And superintended.

Duty of superintendants, &c.

Proviso.

Duty of superintendants, &c. when the expense exceeds \$ 50.

And mode of ascertaining and incurring the same when not exceeding one hundred dollars.

same, That the several bridges within the county of Philadelphia, which now are or hereafter may be erected at the expense of said county, shall be kept in repair at the expense of the same, in the manner hereinafter directed; and shall be and are hereby placed under the superintendance, care and direction of the commissioners of said county, and of the superintendants of the districts of the Northern Liberties and Southwark, and the several supervisors of the highways of the several townships wherein they may be situated. And that it shall be the duty of the said superintendants or supervisors, and they are hereby required to superintend and take care of the several bridges aforesaid, within their townships or districts, and cause to be made all necessary repairs, which shall not exceed in amount the sum of fifty dollars, as often as the same may be required, and after making due proof before any justice of the peace in the said county of the said repairs being made and the costs of the same, to present such proof to the commissioners of said county, whose duty it shall be, and they are hereby required to pay to the superintendant, supervisors or supervisor the amount of said repairs: *Provided,* They do not exceed the amount aforesaid.

SECT. 2. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said superintendants or supervisors, and they are hereby required in all cases where repairs are wanting to any bridge as aforesaid, the amount whereof in the opinion of the said superintendants or supervisors, will exceed fifty dollars, to make report to any justice of the peace of said county, of the repairs wanting and the nature of the same, whose duty it shall be, and he is hereby authorised and required to file in his office the report of the superintendant or superintendants, supervisor or supervisors, and immediately after the receipt of the same, to issue his precept, directed to the said superintendant or superintendants, supervisor or supervisors, or any constable of said county, commanding him or them to summon not more than five or less than three respectable citizens of said county, to appear at a certain time and place near the said bridge, to be by the said justice named in his precept, as well as the names of the persons to be summoned, who, or a majority of whom, after being first duly sworn or affirmed, shall proceed to view

the said bridge and make report whether any and what repairs are necessary to be done to the same, together with the cost thereof to the said justice, which report shall be filed by the said justice, and a copy thereof delivered to the said superintendant or superintendants, supervisor or supervisors, who shall proceed as soon as the season will admit, to cause the said repairs to be made, provided the repairs so required for any one bridge, do not exceed the sum of one hundred dollars, and on due proof taken before any justice of the county, of the said repairs being done, together with the costs thereof; it shall be the duty of the said superintendant or superintendants, supervisor or supervisors, to present such proof to the said commissioners, whose duty it shall be, and they are hereby required to pay the amount of the same to the superintendants, supervisor or supervisors under whose direction the said repairs were done: *Provided*, The same does not exceed the sum of one hundred dollars.

How paid in such case.

Proviso.

SECT. 3. *And be it further enacted by the authority aforesaid*, That in all cases where the viewers appointed under this act, report that the repairs required to any bridge as aforesaid, will exceed the sum of one hundred dollars, it shall be the duty of the superintendant of the district or supervisor of the township wherein the same may be situated, to procure a certified copy of such report, and transmit the same forthwith to the commissioners aforesaid, who shall and are hereby required to present the same to the judges of the court of quarter sessions at the next session of the said court, who are hereby authorised and required to order a view in the same manner as in the case of laying out roads and highways, who shall view the said bridge and consider of the propriety of repairing the same and make report thereof; and if the said court shall approve of said report, they shall make an order on the commissioners requiring the same to be repaired without delay. And that in all cases where any of the bridges aforesaid cross any stream dividing two townships, it shall be the duty of the superintendant or supervisors of each township to make a joint application in the manner and under the same regulations as are hereinbefore directed as to bridges within a particular township.

Duty of the superintendants, &c. when the expense is found to exceed \$ 100.

Provision when a bridge crosses a stream dividing two townships.

SECT. 4. *And be it further enacted by the authority aforesaid*, That the compensation to be received by the justice for all services in one case, under this act shall be two dollars. To each juror the sum of one dollar per day, with six cents per mile. To the superintendant or supervisor, for each day necessarily employed in making the report or attending the repairing of any bridge as aforesaid, one dollar. For the service of the summons on the viewers, to the person serving the same, for each viewer twelve and a half cents, with the usual mileage allowed constables on serving a summons issued by a justice of the peace in civil cases. All which costs

Compensation of justice Juror.

Superintendants, &c.

How taxed and paid.

shall be taxed by the justice and paid by the county commissioners.

SECT. 5. *And be it further enacted by the authority aforesaid,* That in all cases in which fines and forfeited recognizances are appropriated to the use of the county of Philadelphia, the commissioners of said city and county are authorized and empowered to employ counsel to prosecute and collect the same, and shall cause to be laid before the auditors, at the settlement of the commissioners accounts for the said county, an account of the sums collected and the cost attending the collection of the same.

County commissioners to employ counsel to collect fines, &c.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the commissioners of the county of Philadelphia are hereby authorized if they deem it expedient, to appoint one or more collectors for said county, to collect the militia exempt fines, separate and distinct from the county tax. And the said collector or collectors so to be appointed, shall have the same power and authority to collect and enforce the payment of the said exempt fines, in the same manner as the county tax is directed by law to be collected and under the same rules, regulations and restrictions as are provided by the act entitled, "A further supplement to an act for the regulation of the militia of this commonwealth," passed the twenty-fourth day of March, one thousand eight hundred and eighteen, for which the several collectors shall receive and be allowed five per cent on all monies received by them, and paid over to the treasurer of said county, and the treasurer of the county shall settle with the Auditor General, and pay yearly to the State Treasurer, such fines from exempts as he shall receive by virtue of this act, under the penalty of five hundred dollars for every such neglect.

To appoint collectors of exempt fines.

Their power.

And compensation.

Duty of treasurer.

SECT. 7. *And be it further enacted by the authority aforesaid,* That so much of any law as is hereby altered or supplied, be, and the same is hereby repealed.

Repeal.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-ninth day of March, one thousand eight hundred and nineteen.

WILLIAM FINDLAY.