

## No. 18.

## AN ACT

Authorising the commissioners of Berks county to build a toll bridge over the river Schuylkill, at Medler's ford, where the road crosses the said stream, leading from Bern to Reading.

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 same,* That the commissioners of the county of Berks are hereby authorised and empowered to build and erect, or contract with any person for building a good and substantial bridge, at the expense of the county of Berks over and across the river Schuylkill, at the place called Medler's ford, where the road leading from Bern to the borough of Reading crosses said river in the county of Berks, and to do and to perform all and singular such matters and things as county commissioners may do and perform in virtue of the twenty-first section of an act entitled "an act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads, passed the sixth day of April, one thousand eight hundred and two, and the supplement thereto, passed March the first, one thousand eight hundred and fifteen.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when the commissioners aforesaid shall have completed a bridge at the place aforesaid, the same shall be considered as built under the twenty-first section of the act and supplement thereto, as aforesaid, and the same shall be inspected, and the commissioners shall be liable, if it should not be approved of according to the provisions of the said section and supplement thereto.

SECT. 3. *And be it further enacted by the authority aforesaid,* That as soon as said bridge shall be erected under the authority of this act, the said commissioners or their successors in office may and they are hereby empowered to erect a gate or gates, to demand and receive toll from travellers and others passing the same, as follows, for every carriage, of whatever description, used for trade and agriculture, having four wheels and drawn by six horses, thirty seven and one half cents; for every such carriage having four wheels and drawn by five horses, thirty-one and one quarter cents; for every such carriage having four wheels and drawn by four horses, twenty-five cents; for every such carriage having four wheels and drawn by three horses, eighteen and three quarter cents; for every such carriage having two horses, twelve and a half cents; for every such carriage having two or four wheels and drawn by one horse, six and a quar-

County commissioners authorised to contract for building bridge.

To be built agreeably to provisions of former acts.

Rates of toll.

ter cents; for every stage having four wheels and drawn by four horses, thirty cents; for every stage having four wheels and drawn by two horses, twenty cents; for every carriage of pleasure having four wheels and drawn by four horses, thirty-seven and one half cents; for every such carriage having four wheels and drawn by two horses, twenty-five cents; for every such carriage having two wheels and drawn by two horses, eighteen and three quarter cents; and every such carriage having four or two wheels and drawn by one horse, twelve and one half cents; for every sled or sleigh drawn by one horse, six and one quarter cents, and every additional horse, four cents; for every horse and rider, six and one quarter cents; for every led or drove horse, mule or ass, three cents; for every head of horned or muley cattle, one cent; for every head of hogs, one half cent; for every twenty head of sheep, six and one quarter cents; and so in proportion for any lesser or greater number; for all carriages that be drawn by oxen, or partly by oxen and partly by horses, to be rated in proportion of two oxen for one horse, and for every foot passenger one cent: *Provided*, That no toll shall be demanded or taken from any person or persons attending funerals, going to or from divine worship, from militia men going to or returning from muster on days of training, or from persons going to or returning from township, general or special elections, or from children going to and returning from school, but all such persons shall be allowed to pass and repass said bridge on those occasions free from toll: *And provided also*, That it shall be the duty of said commissioners and their successors, to have a written or printed list or lists of the above rates of toll placed upon some conspicuous part at each end of said bridge, for the free inspection of all persons desirous of seeing the same, as long as the same shall be a toll bridge.

SECT. 4. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid may and they are hereby empowered to appoint such person or persons as they may think proper, to attend and receive toll from travellers and others, according to the ratio aforesaid; and the said commissioners are hereby empowered to pay to such person or persons employed in the collection of toll, or rendering other services in pursuance of this act, such compensation as they may deem reasonable: *And provided also*, That nothing in this act contained shall extend to authorise the said commissioners, or any person whatever, to erect said bridge so as to stop or interrupt the fording of said river.

SECT. 5. *And be it further enacted by the authority aforesaid*, That if any toll gatherer shall demand or receive any other or greater rates or prices for passing over said bridge than are hereinbefore specified, the person so offending shall, for every such offence, forfeit and pay the sum of ten dollars to

Proviso.

Who may pass free of toll.

2d proviso.

List of rates to be posted up.

Appointment of toll collectors.

Proviso.

Bridge not to interfere with fording.

Penalty on demanding higher rates of toll.

the commissioners of said county, towards defraying the expenses of said bridge, to be recovered before any justice of the peace of the county, who is hereby empowered, on complaint made to him on oath or affirmation, of any such offence, to issue his warrant to any constable of the county, commanding him to bring, or cause every person against whom such complaint shall be made, to come before him, and on due proof of such offence, to convict such person thereof, and to issue his warrant to any such constable of the county to levy such sum of money on the goods and chattels of the offender, by distress and sale thereof: *Provided always*, That any person so convicted shall not be debarred from an appeal to the court of Quarter Sessions by giving the requisite security: *Provided*, That in such cases the appeal shall be made within ten days after such conviction: *Provided also*, That no suit or action shall be brought after twenty days from the time when the offence was committed.

How recovered and appropriated.

Proviso.

Right of appeal.

2d proviso.

3d proviso.

Penalty on injuring property.

Proviso.

On carrying fire.

Annual statement to court.

Reduction of toll.

Annual settlement of accounts.

SECT. 6. *And be it further enacted by the authority aforesaid*, That if any person or persons shall cut or destroy any piece or pieces of timber, or any other part or parts of said bridge, piers or abutments, or appendages thereto, or otherwise voluntarily damage the same, he she or they so offending, shall on conviction thereof, forfeit and pay for every such offence, over and above the damages done to said bridge, or any part thereof, the sum of ten dollars, to be recovered in the same manner as debts not exceeding one hundred dollars are now by law recoverable, with costs of suit, for the use of the county of Berks: *And provided further*, That if any person or persons shall carry a lighted pipe or segar across said bridge, he or she shall, on due conviction thereof, pay a fine of five dollars, for the use aforesaid.

SECT. 7. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the commissioners for the time being, and their successors in office, to lay before the court of Quarter Sessions of Berks county, on oath or affirmation, an account annually of the expenses by them incurred, in erecting the said bridge, which account if confirmed by the court, shall be held to contain the sum justly due to the said county, and to be repaid to the county by the profits of the toll aforesaid, and when it shall appear to the said court that the principal sum without interest so as aforesaid expended in erecting of said bridge, hath been raised by means of the said toll, the said court shall forthwith reduce the toll one half.

SECT. 8. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the said commissioners and their successors in office, to keep a just and true account of their receipts and expenditures of the money which shall come to their hands by virtue of the provision of this act, and they shall annually, at the time appointed by law for the

settlement of their accounts as county commissioners, furnish a statement of their said receipts and expenditures, accompanied by proper vouchers, to the persons who shall be elected to settle their accounts as county commissioners who shall in like manner examine, settle and adjust the same.

SECT. 9. *And be it further enacted by the authority aforesaid,* Commissioners may contract for using bridge by the year. That nothing in this act contained shall be so construed as to prevent the said commissioners from contracting with any person or persons desirous of using the said bridge for an annual sum in lieu of the toll hereinbefore mentioned: *Provided,* Proviso. The court of Quarter Sessions for the county of Berks, on petition being presented for such purpose, are hereby authorised and required to appoint twelve disinterested freeholders of said county, who, together with the county commissioners, shall act as viewers, and they shall view the site mentioned in this act for a bridge, and in case two-thirds of the whole viewers agree that such bridge is necessary for the convenience of travellers and others, and that the county funds are adequate to the expense of building the same at the site mentioned, and they so make report to the next court of Quarter Sessions after their appointment, and the said court confirms said report, then and in such case the said county commissioners shall forthwith proceed to have said bridge erected. Viewers to view site, &c.

SECT. 10. *And be it further enacted by the authority aforesaid,* Repeal of part of 7th section of act of 23d April, 1829. That so much of the seventh section of the act entitled An act authorising the commissioners of Berks county to build a toll bridge over the river Schuylkill, near the borough of Reading, in the county of Berks, at or near the place where the road leading from Reading to the city of Lancaster crosses said river, approved the twenty-third day of April, A. D. one thousand eight hundred and twenty-nine, as relates to the said bridge being free from toll after the principal sum with interest, expended in the erection of said bridge, are repaid, be and the same is hereby repealed, and the court of Quarter Sessions of the county of Berks shall, as soon as the principal sum, with interest, are paid by means of the toll, immediately reduce the toll one half.

JOHN LAPORTE,  
*Speaker of the House of Representatives.*

WM. G. HAWKINS,  
*Speaker of the Senate.*

APPROVED—The twenty fourth day of January, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.