

CHAPTER MMDLXII.

A SUPPLEMENT TO THE ACT, ENTITLED AN ACT TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO INCORPORATE A COMPANY FOR MAKING AN ARTIFICIAL ROAD, FROM THE INTERSECTION OF FRONT STREET AND THE GERMANTOWN ROAD, IN THE NORTHERN LIBERTIES OF THE CITY OF PHILADELPHIA, THROUGH FRANKFORD AND BRISTOL, TO THE FERRY AT MORRISVILLE, ON THE RIVER DELAWARE. (').

Whereas the president, managers and company of Frankford and Bristol turnpike road, and sundry citizens of Bucks county, by their petitions to the legislature, have represented, that it would be beneficial to the public to have a permanent bridge erected across Neshaminy creek, and that further legislative provisions are necessary for the speedy accomplishment of such a measure: 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 the said president, managers and company shall, within the space of four years, erect or cause to be erected, in a permanent workmanlike manner, a good substantial bridge of stone, wood or iron, or other such materials as to them shall seem adequate and proper, over the Neshaminy creek, at the place where the present road now passes over said creek, or as near thereto as may be consistent with economy and public utility; the said bridge to be at least thirty feet wide, and to consist of one or more arch or arches with stone abutments, and one or more pier or piers if necessary, and to have a draw therein, agreeably to the provisions of the tenth section of the act⁽¹⁾ to which this is a supplement.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That so soon as the said president, managers, and company shall have perfected the said bridge, they shall give notice thereof to the governor of this commonwealth, who shall thereupon forthwith nominate and appoint three disinterested and skillful persons to view and examine

the same, and report to him in writing, whether the same is executed in a masterly and workmanlike manner, according to the true intent and meaning of this act; and if their report shall be in the affirmative, then the governor shall, by license under his hand and the lesser seal of the commonwealth, permit and suffer the said president, managers and company to erect and fix such gate or gates, upon or near the said bridge, as will be necessary and sufficient to collect the tolls and duties hereinafter granted to the said company, from all persons passing over the same with horses, cattle, carts and carriages, or on foot.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That when a good and complete bridge is erected over the said Neshaminy creek, in manner aforesaid, the property of said bridge, shall be vested in the said president, managers and company of the Frankford and Bristol turnpike road, and their successors, who may demand and receive toll agreeably to the following rates, which shall be written or printed, and published or placed on or near the said bridge, for the information of passengers, viz. for every coach, landau, phaeton, stage-wagon, or other pleasurable carriage with four wheels, drawn by four horses or mules, the sum of twenty cents; and for any such carriage drawn by two horses or mules, the sum of twelve cents; and for any such carriage drawn by one horse or mule, the sum of nine cents; for every wagon with four horses or mules, the sum of seventeen cents; and for every carriage of the same description, drawn by two horses or mules, the sum of twelve cents; for every chaise, riding-chair, sulky, cart or other two-wheel carriage, or a sleigh or sled with two horses or mules, the sum of nine cents; and so in proportion, if more horses or mules are added to the number herein mentioned; and for such carriage drawn by one horse or mule, the sum of six cents; for a single horse or mule and rider, the sum of three cents; for every led horse or mule the sum of two cents; for every foot-passenger, the sum of one cent; for every head of horned cattle, the sum of one cent; for every sheep and swine, the sum of one half cent; and if any toll-gatherer shall demand and receive greater

toll from any person or persons than such toll-gatherer is authorized to demand and receive, by virtue of this act, such toll-gatherer, shall forfeit and pay the sum of twenty dollars for every such offense; to be equally divided between the poor of the townships of Bensalem and Bristol, and for the payment of which the said company shall be responsible: Provided, that no toll shall be demanded from any militia man, in going to or returning from a training in the militia.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That in fixing the toll of all carriages drawn wholly or in part by oxen, two oxen shall be estimated equal to one horse.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That when the said bridge shall be erected and completed, and all the costs, charges and expenses of effecting the same shall be fully paid and discharged, and the aggregate amount of such expenses shall be liquidated and ascertained, the said president and managers shall lay before the general assembly of this commonwealth, an abstract of their accounts, showing the whole amount of capital expended in the erecting of said bridge, and also the income and profits arising from the said tolls, together with an exact account of the costs and charges of keeping the said bridge in repair, and all other contingent costs and charges to the end that the clear annual income and profits may be known; and at the end of every year, after the said bridge is completed, they shall render to the general assembly, a like abstract of their accounts; and if at any time the said clear income and profits thereof shall exceed a dividend of nine per centum per annum, the surplus above that amount shall be appropriated, by the said president and managers, to the purchase of such share or shares of the Frankford and Bristol turnpike stock as the said surplus will be found adequate to purchase, until all the shares shall be so purchased, and the subscribers to the said Frankford and Bristol turnpike stock shall determine by lot, from time to time, whose share or shares shall be paid off by the money arising as aforesaid, for which shares the said persons shall receive the sums which were originally paid for each

respective share, and when the whole number of shares shall be purchased, the said bridge, together with the road, shall be free.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall willfully pull down, break or destroy, with intent to injure any part or parts of the abutment or abutments, pier or piers, or any part or parts of a toll-house, gate or bar, or other property of the said corporation, appurtenant to or erected or made for the use and convenience of the said bridge, or for the use of the person employed for the conducting the business thereof, or shall willfully, without the orders and consent of the said corporation, or any person or persons authorized by them, obliterate, deface or destroy the letters, figures or other characters, in any written or printed list of the rates of tolls affixed in any place or places, for the information of passengers and others, or who shall willfully and maliciously obstruct or impede the passage over the said bridge, or any part or parts thereof, he, she or they so offending, shall each of them forfeit and pay to the president, managers and company the sum of twenty dollars, to be sued for and recovered before any justice of the peace, in like manner and subject to the same rules and regulations as debts of the like amount may be sued for and recovered, and he, she or they so offending may and shall remain liable to actions at the suit of the said president, managers and company for further damages for such wrongs, if the said sum or sums herein mentioned be not sufficient to repair and satisfy said damages.

Approved March 7, 1805. Recorded in L. B. No. 10, p. 97.
Note (1). Chapter 2356. Supra this volume, p. 318.

CHAPTER MMDLXIII.

AN ACT FOR THE FURTHER REGULATION OF THE BOROUGH OF PITTSBURGH.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-