

Swift junr.
changed to
Charles
Riche.

by the name of *Charles Riche*, and by the same name shall be able and capable in law, to sue and be sued, grant and receive, and do all other legal acts as effectually to all intents and purposes, as he could have done by his former name, if no change had been made, therein.

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

P. C. LANE, *Speaker of the Senate*.

APPROVED—the twentieth day of March, one thousand eight hundred and ten.

SIMON SNYDER.

CHAPTER CXI.

An ACT authorizing the governor to incorporate a company for erecting a bridge over the Monongahela River, at or near where the road leading from Brownsville, to the town of Washington, crosses the same.

SECT. I. *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,*

Commission-
ers named.

That Neal Gillespie junr. Parker Campbel and Thomas Acheson of the county of Washington, Jacob Bowman, Thomas Mason, Charles Shaffner, Samuel Jackson, David Ewing, and Michael Sowers of the county of Fayette be, and they are hereby appointed commissioners to do and perform the several duties hereafter mentioned, *that is to say:* They shall on or before the first day of October next, provide a book or books for the entering of subscriptions, and shall write therein as follows: We whose names are hereunto subscribed, do promise to pay to the president, managers and company, for erecting a bridge over the river Monongahela, at or near where the road leading from Brownsville to the town of Washington, crosses the same, the sum of twenty-five dollars for each and every share of stock in the said company, set opposite to our respective names in such manner and proportions, and at such times as shall be determined on by the president and managers, in pursuance of an act of the general assembly entitled: "An act authorising the governor to incorporate a company for erecting a bridge over the river Monongahela, at or near where the road leading from Brownsville to the town of Washington, crosses the same." Witness our hands
this _____ day of _____

Who shall
procure
a book
or books.
Entry there-
in.

Notice to be
given of the
times and
places of
opening the
books.

in the year of our Lord one thousand eight hundred and _____
"And shall thereupon give notice in all the public newspapers printed in Uniontown, Brownsville, and Washington, during one calendar month, at least of the times, when and places where the said books shall be open to receive subscriptions at

which times and places some one or more of the said commissioners shall attend for that purpose, and keep open the said books, during six hours in each of three successive days, or until six hundred shares shall be subscribed, and if six hundred shares shall not be subscribed within that period, then the said commissioners may adjourn from time to time, until the said number of shares shall be subscribed, of which adjournments public notice shall be given by means of newspapers, at each place where the said books shall have been opened, or elsewhere, as occasion may require; and when six hundred shares shall have been subscribed, public notice thereof shall be given in all the newspapers printed in Uniontown, Brownsville, and Washington; *Provided always*: That every person on entering his name in the said books, as a subscriber, shall pay five dollars on each share he shall subscribe, as a fund out of which shall be defrayed, the expenses attending the taking of subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, such first payment on each share to be taken, and considered as a part payment on each share subscribed for.

SECT. II. *And be it further enacted by the authority aforesaid*, That as soon as six hundred shares shall have been subscribed, the said commissioners or a majority of them may certify the same, together with a list of the subscribers, and the shares by each subscribed in writing to the governor, who thereupon shall constitute the said subscribers, and also all those who may in future subscribe under the provisions of this act a body politic and corporate, by the name and style of "The president, managers, and company, for erecting a bridge over the river Monongahela, at or near where the road leading from Brownsville to the town of Washington, crosses the same," with all the privileges incident to a corporation, who shall have perpetual succession, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same by new subscriptions, if such enlargement be necessary to fulfil the purposes of this act.

SECT. III. *And be it further enacted by the authority aforesaid*, That the nine persons first named, in the letters patent of incorporation shall, as soon as conveniently may be, after sealing the same, give notice in all the public papers, printed in Uniontown, Brownsville, and Washington, of a time and place by them to be appointed, not less than thirty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the corporation, and shall choose by a majority of votes of the said subscribers, taken by ballot, to be delivered either in person or by proxy, duly authorized one president, ten managers, one treasurer, one clerk, and such other officers as they may think necessary to conduct the business of the

One or more of the commissioners to attend.

If 600 shares be not subscribed in 3 days, the commissioners may adjourn.

When 600 shares are subscribed notice thereof shall be given.

5 dollars to be paid on each share at subscribing.

When 600 shares are subscribed &c.

Who shall thereupon erect the subscribers into a body politic.

Style and title of and privileges.

Notice of the time for organizing the corporation to be given.

Officers to be chosen.

Powers of. company, during one year and until other officers be chosen, and may make such by-laws, rules, orders, and regulations (not inconsistent with the constitution and laws of this state, or of the United States) as may be necessary for the well-ordering the affairs of the company; *Provided always:* That no person shall have more than five votes whatever number of shares he may be entitled to, and each person shall be entitled to one vote for each share by him held under that number.

No person to have more than 5 votes. **Annual meetings to be held &c.** **SECT. IV.** *And be it further enacted by the authority aforesaid,* That a public meeting of the said stockholders shall be held on the first Monday of May, in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question, affecting the interests of the said company.

Certificates of stock to be issued. **SECT. V.** *And be it further enacted by the authority aforesaid,* That the president and managers shall procure printed certificates, for all the shares of stock in the said company, which shall be signed by the president, countersigned by the treasurer, and sealed with the seal of the corporation, and each subscriber shall be entitled to one such certificate for each share, by him subscribed for, on paying to the treasurer in part of the sum due thereon, ten dollars on each share, which certificates shall be transferable, either by the owner in person, or by his attorney duly authorized in the presence of the president, or of the treasurer, for the time being, subject however to the payments due or that may grow due thereon, and the persons to whom such transfer shall be made, shall stand in the place of the former holder of the certificate and be entitled to the same privileges in the company.

10 dollars on each share to be paid thereon. **Certificates to be assignable.** **SECT. VI.** *And be it further enacted by the authority aforesaid,* That the said president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on, for transacting the business of the company, at which meeting, five members shall be a quorum, who in the absence of the president shall choose a chairman, and shall keep minutes of their proceedings, to be fairly entered in a book to be kept for that purpose, and a quorum being met, they shall have full power and authority to appoint such engineers, superintendants, assistants and workmen, as they shall deem necessary to the erection of the said bridge, and they shall fix their salaries and wages, they shall also have power to make contracts, to ascertain the times, manner, and proportion in which the stockholders shall pay the money due on their respective shares, to draw orders on the treasurer for the monies necessary to pay salaries, wages, and bills for work and labor, done and performed, or materials furnished, which orders shall be signed by the president, or in his absence by a majority of a quorum, and countersigned

5 members to be a quorum. **a chairman may be chosen, &c.** **Powers of a quorum.**

by their clerk, and to do, and transact all such other matters and things as by this act, or by the by-laws of the company shall be committed to them.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder after thirty days notice in the public newspapers, printed in Uniontown, Brownsville, and Washington, of the time and places appointed for the payment of any proportion, dividend or instalment of the said capital stock, still due on each share, shall neglect to pay the same, for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall in addition to the instalment so called for, pay at the rate of five per cent. per month, for every delay of such payment and if the same and the said additional penalties shall remain unpaid, so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold under the direction of the president and managers, or a majority of a quorum of them, at any of their meetings for transacting the business of the company, the order for that purpose being first entered in the minute book by the clerk at such meeting.

Penalty on neglecting to pay instalments.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said president and managers their superintendants, engineers, and workmen, to enter into and upon all the lands and inclosures near to the place where the said bridge is to be built, and to take all stones convenient, and to examine the ground for the purpose of opening quarries, and of obtaining stones or other materials for the building of said bridge, and to enter with teams of any kind, first giving notice to the owners, doing as little damage as possible, and repairing any breach in fences, that they may have occasion to make and making amends for any damage they may have done, which damage shall be ascertained by the parties, if they can agree, and if not, then by the appointment of any two or three disinterested freeholders, one to be chosen by the managers or by any three of them, one by the party claiming to be aggrieved, and the third to be chosen by the two already so nominated, which freeholders shall be qualified by oath, or affirmation, to decide to the best of their judgment, between the parties and the said managers, or the persons employed by them, after tender of the appraised value may proceed to take away any stone, or other materials, for the purpose of erecting and repairing said bridge; *Provided:* That nothing in this act contained, shall authorise the said company to erect a bridge in the manner herein mentioned, upon any private property without the consent of the owner or owners thereof, nor to erect the same in such manner as to obstruct the navigation of the said river, except by the erection of two abutments, and three piers or pillars, whereon to build said

Managers, &c. may enter upon lands and take materials.

Notice to be given to the owners. And compensation. How damages shall be ascertained.

No site to be built upon without consent of the owner. Manner in which the bridge shall be erected.

bridge, or in any manner obstruct the passage over the usual fording place, which shall at all times be open as heretofore, to persons desirous of passing through the same.

Account of receipts and expenditures to be kept. &c.

number of shares may be extended.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the said president and managers shall keep, or cause to be kept, fair and just accounts of all receipts, payments, and monies, still due to, from, or on part of the said company, and shall submit the same at least once in every year to a general meeting of the stockholders, and whenever it shall appear manifestly to the said president, managers, and company, at any such general meeting, or at a special meeting convened for that purpose, according to the provisions of this act or of the by-laws of the company, that the proposed bridge cannot be completed without extending the number of shares, the same shall be extended under the direction of such meeting, so far as may be necessary to complete the proposed bridge, which additional shares shall be sold and regulated in all respects, and be attended with the same rights and privileges, as the original shares are herein, or by the by-laws of the company directed to be.

Property of the bridge to be vested in the company. Rates of tolls to be exacted.

SECT. X. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge under the authority of this act, shall be erected over the Monongahela river, at the place aforesaid, the property of the same shall be vested in the said incorporated company, their successors and assigns forever, and the said company, their successors and assigns, are hereby empowered, to erect gates and demand and receive tolls as follows, *to wit:* for every foot passenger three cents; for every carriage of whatever description used for the purpose of trade and agriculture, having four wheels, and drawn by six horses, seventy-five cents; for every such carriage having four wheels and drawn by five horses, sixty-six cents; for every such carriage having four wheels and drawn by four horses sixty cents; for every such carriage having four wheels and drawn by three horses, fifty cents; for every such carriage having four wheels and drawn by two horses, forty-four cents; for every such carriage having four wheels and drawn by one horse, twenty-five cents; for every carriage of whatever description used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, sixty-two cents; for every such carriage drawn by two horses fifty cents; for every such carriage drawn by one horse, twenty-five cents; for every carriage of whatever description used for the purposes of trade or agriculture having two wheels and drawn by two horses, thirty-seven and a half cents; for every such carriage drawn by one horse, eighteen cents; for every chair or other two wheeled carriage of pleasure, for every horse used therein, eighteen cents; for every sled or sleigh drawn by four horses, fifty cents; for every sled or sleigh drawn by two horses, thirty cents, for every sled or sleigh drawn by one

horse, twelve and a half cents; for every horse mare or gelding without a rider, three cents; for every horse, mare, or gelding, with a rider, six cents; for every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in the proportion of two oxen for one horse, and in all cases, a mule shall be rated in the same proportion as a horse, every head of horned or muley cattle, three cents; every head of sheep and swine, one cent; *Provided*: That any detachment of the military of this state, and persons attending funerals, shall at all times be exempt from toll. Proviso.

SECT. XI. *And be it further enacted by the authority aforesaid*, That if the said company, their successors or assigns, or any person employed by them, shall collect, or demand any greater rate or prices for the passing over the said bridge, than what is herein before prescribed, or shall neglect to keep the said bridge in good repair, he, or they, shall for every such offence forfeit and pay twenty dollars, one half thereof equally to be divided, between the adjoining townships of the counties of Washington and Fayette; for the support of the poor therein, and the other half for the use of the person, who shall sue for the same, to be recovered before any justice of the peace, in either of the counties aforesaid; *Provided always*: That no suit shall be brought in this respect, unless within thirty days after the offence committed; *Provided also*: That the judgment of the said justice, in any such case, brought before him, shall be liable to reversion, either by appeal to the court of common pleas, if the merits of the case be contested, or by certiorari, if the legality of his proceedings or jurisdiction be disputed. Penalty for collecting illegal tolls, &c.
How recovered and appropriated
Suits to be brought &c.
Appeal allowed.

SECT. XII. *And be it further enacted by the authority aforesaid*, That the said president, managers, and company, shall keep a just account of all monies received by their several collectors of tolls, for crossing the said bridge, and shall declare, and make a dividend of the income and profits thereof, among all the subscribers to the said company's stock, in proportion to their respective shares, first deducting all contingent costs and charges, and such proportion of the said income as may be sufficient for a fund to provide against a decay, the repairing or the rebuilding of the said bridge, as time and accident may render necessary, and shall on every first Monday of June, of every year publish the dividend to be made of the clear profits, arising from the tolls among the stockholders, and of the time, when and place where the same shall be paid, and shall cause the same to be paid accordingly. Account of tolls received to be kept. Dividends to be declared and paid &c.

SECT. XIII. *And be it further enacted by the authority aforesaid*, That if any person or persons, shall wilfully and with intent to injure, pull down, break, or destroy any part, or parts of the said bridge, or any toll house, gates, bars, or other property of the said corporation appurtenant to, or erect- Penalty for injuring the property of the company

How recoverable.

Suit to be brought within thirty days.

The company to make triennial statements to the legislature.

If the dividends do not &c.

Accounts to be rendered to the legislature.

ed for the use and convenience of the said bridge or the person employed in conducting the business thereof, or shall wilfully, and without the consent and orders of the said corporation, or any person or persons authorised by them, deface or destroy the letters, figures or other characters in any written or printed list of the rates or tolls affixed in any place or places, for the information of passengers and others, or shall wilfully and maliciously obstruct or impede the passage on or over the said bridge, or any part or parts thereof, he, she, or they, so offending shall, each of them forfeit and pay for every such offence to the said corporation, the sum of thirty dollars to be sued for, and recovered before any justice of the peace, as debts of like amount are recoverable, and he, she, or they so offending shall remain liable to actions at the suit of said corporation for such wrongs, if the said sum or sums herein mentioned be not sufficient to repair and satisfy said damages; *Provided always*: That no such suit shall be brought unless within thirty days after such offence shall have been committed; *Provided also*: That the judgment of the said justice in any such case brought before him, shall be liable to reversion either by appeal to the court of common pleas, if the merits of the case be contested, or by certiorari, if the legality of his proceedings or jurisdiction be disputed.

SECT. XIV. *And be it further enacted by the authority aforesaid*, That the said president and managers shall at the end of every third year from the date of the incorporation, until three years next, after the said bridge shall have been completed, lay before the general assembly of this commonwealth, an abstract of their accounts, showing the whole of the capital expended in the prosecution of the work, and of the income and profits arising from said toll, received during such period, 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 thereof may be ascertained and known, and if at the end of three years after the said bridge shall have been completed, it shall appear from the average profits of the said three years, that the clear income and profits will not bear a dividend of six per cent. per annum, on the whole capital stock of the said company so expended, then it shall be lawful for the said president, managers, and company, to increase the tolls herein allowed to be taken, so much on each particular item, in proportion, as will raise the dividend to six per cent. per annum, and at the end of every ten years after the said bridge shall have been completed, they shall render to the general assembly a like abstract of their accounts, for the three preceding years, and if at the end of any such decennial period it shall appear from such abstract that the clear profits and income of the said company will bear a dividend of more than fifteen per cent. per annum, then the said tolls shall be reduced

so as to reduce the said dividend to fifteen per cent. per annum.

SECT. XV. *And be it further enacted by the authority aforesaid,* Term within the bridge must be begun and completed.
That if the said company shall not proceed to carry on the said work within the space of three years, from the passing of this act, and shall not within the space of seven years from the passing thereof complete the said bridge, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights and privileges hereby granted to the said company.

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

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight hundred and ten.

SIMON SNYDER.

CHAPTER CXII.

An ACT to authorize the governor of this commonwealth to incorporate a Company for making a Toll-Bridge over Big-Beaver Creek, opposite the Town of Brighton.

SECT. I. *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 Abraham Wellington, Jonathan H. Mendinhall, Benjamin Townsend, Isaac Wilson and Jacob Yoho, be and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, that is to say, they shall on or before the first day of July next procure at least three books, and therein enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers and company, for erecting a bridge over Big-Beaver creek, opposite the town of Brighton, the sum of twenty-five dollars, for every share of stock in the said company, set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers, in pursuance of an act of the General Assembly entitled, "An act to authorize the Governor of this Commonwealth, to incorporate a company for erecting a bridge over Big-Beaver creek, opposite the town of Brighton." Witness our hands the day of in the year of our Lord, one thousand eight hundred and
and shall thereupon give notice in one of the public newspapers printed at Pittsburgh, and one printed at Washington, one calendar month at least of the time, and places where the said books shall be opened to receive subscriptions for the stock of said company, at which respective places some one of

Commissioners named.
Three books to be procured by first July next. Entry therein.
Notice to be given of the time and places of opening the books.