

Officers to be chosen.

Managers to make by-laws, &c.

And to have similar powers with the Easton and Wilkesbarre road company.

Road to be commenced within three years.

And completed within ten.

Penalty on failure.

of a time and place by them to be appointed, not less than thirty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person or by proxy duly authorized, one president and twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year; and until such other officers shall be chosen, and the said managers so chosen, and their successors, shall and may make such by-laws, rules, orders, and regulations, not inconsistent with the constitution and laws of the United States, and of this state, as shall be necessary for the well ordering the affairs of the said company, and generally have like powers, authorities, and privileges, necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines, and forfeitures, and be entitled to like tolls and profits, in proportion to the distance, as are given and granted to the president, managers, and company, of the Easton and Wilkesbarre turnpike road; *Provided*, that if the said company shall not proceed to carry on the said work in three years after the passing of this act, or shall not within ten years afterwards complete the said road, according to the true intent and meaning of this act, then in either of these cases, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties, privileges and franchises, by this act granted to the said company.

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

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

APPROVED—the thirty-first day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER CLXI.

An ACT supplementary to an act, entitled "An act to authorize and direct the governor to incorporate a company, for erecting a permanent bridge over the river Schuylkill, at or near where the floating bridge of Abraham Sberidan, is at present situate, known by the name of the "Upper Ferry," in the county of Philadelphia.

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 the "managers and company for erecting a permanent bridge over the river Schuylkill, at or near where the floating bridge is at present situate, and known by the name of the "Upper Ferry,"*

When the bridge maybe erected over Schuylkill.

be and they are hereby authorized and empowered to construct an artificial road from near the intersection of the Lancaster turnpike road, and the said upper ferry road, to the said bridge, and from thence to the intersection of the said upper ferry road, with the Wissahicken road.

SECT. II. *And be it further enacted by the authority aforesaid,* That for the purpose of enabling the said managers and company to construct the said road, they are hereby empowered to receive, in addition to the original stock of the said company, subscriptions to the amount of twelve thousand dollars, which subscriptions shall be made in shares of the same amount, and in all respects except as to their application, be subject to the same terms, conditions and penalties, as those which have been or may hereafter be subscribed to the original stock of the said company. Additional stock allowed.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said artificial road, so as aforesaid to be constructed, shall be bedded with wood, stone, gravel, or any other hard substance well compacted together a sufficient depth to secure a solid foundation to the same; and that the said road shall be faced with gravel or stone pounded, or other small hard substance, in such manner as to secure a firm, and as near as the materials will admit, an even surface rising towards the middle by a gradual arch, and so nearly level in its progress as that it shall in no place rise or fall more than will form an angle of four degrees with a horizontal line, and shall be kept in good and perfect order and repair. How the road shall be made.

SECT. IV. *And be it further enacted by the authority aforesaid,* That as soon as the said managers and company shall have perfected the said road, they shall give notice thereof to the governor of the commonwealth, who shall thereupon forthwith nominate and appoint three skilful and judicious persons to view and examine the same, and report to him in writing whether the said road is constructed in a masterly workman-like manner; 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 managers and company, to erect and fix so many gates or turnpikes upon and across the said road, as will be necessary and sufficient to collect the tolls and duties hereinafter granted to the said company, from all persons travelling the same with horses, cattle, carts, and carriages. Viewers to be appointed.

SECT. V. *And be it further enacted by the authority aforesaid,* That the said managers and company be and they are hereby authorized to fix the rate, and to receive such tolls for the whole or part of the said road as from time to time shall appear to them most advisable, provided the same shall in no instance exceed in proportion to the distance the rate of tolls given and granted by the twelfth section of an act of this commonwealth, passed the tenth day of April, one thousand seven hundred and ninety-two, Report.

Gates to be fixed and tolls exacted.

Rates of toll.

entitled " An act to enable the governor of this commonwealth to incorporate a company for making an artificial road from the city of Philadelphia to the borough of Lancaster."

Certain parts of a certain act to be binding on the company.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the several provisions contained in the fourteenth and fifteenth sections of said act last mentioned, shall be deemed to extend to, and be as binding and obligatory on the said company, and all persons whatsoever, as if the same were herein particularly enacted.

Drivers to keep to the right.

SECT. VII. *And be it further enacted by the authority aforesaid,* That all waggoners and drivers of carriages of all kinds, whether of burden or pleasure, using the said road, shall, except when passing by a carriage of slower draught, keep their horses and carriages on the right hand side of the said road, in the passing direction, leaving the other side free and clear for other carriages to pass and re-pass; and if any driver shall offend against this provision, he shall forfeit and pay the sum of two dollars to any person who shall be obstructed in his passage, and will sue for the same to be recovered with costs before any justice of the peace, in the same manner as debts under one hundred dollars are by law recoverable.

Penalty on offending.

Original tract may be varied from.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said managers and company to make such deviation from the route or track of the present roads, above referred to, as they may think useful having first obtained therefor, the consent of the owners of the ground, over which the said new tract or route may pass.

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

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

APPROVED—the thirty-first day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER CLXII.

An ACT to repeal and supply an act, entitled " An act to provide for the education of the poor, gratis ;" passed the fourth day of April, one thousand eight hundred and nine, so far as the same operates on the city and county of Philadelphia.

WHEREAS circumstances peculiar to the city and some parts of the county of Philadelphia, render the general provisions of the act to provide for the education of the poor, gratis, oppressive to the inhabitants of that part of the state, and there is reason to fear its continuance would be attended with greater evils than it has yet produced : Therefore,