

Proviso.

published in the county of Northampton, by the secretary or treasurer of the said academy: *provided*, that no person either as master, tutor or pupil shall be refused admission in the said academy on account of his conscientious persuasion in matters of religion.

Vacancies how filled.

SECT. VII. *And be it further enacted by the authority aforesaid*, That the said trustees and their successors or a majority of them are hereby authorized and empowered where a vacancy in their board happens either by death, resignation or otherwise before any annual election to meet at the said academy and choose some fit person to fill the said vacancy for the period of time unexpired.

When the building is complete.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That when the said building shall have been finished and completed, and the salaries of the master and tutors shall be settled and arranged, and in case any proceeds should be then left from the funds of the said institution over and above what may be necessary to keep the said building in repair, it shall and may be lawful for the said trustees to expend the same in purchasing books, maps, charts, globes and philosophical apparatus for the use and benefit of the said academy, and the said trustees and their officers are hereby enjoined and required to cause the treasurer's books to be at seasonable hours open for the inspection and examination of all and every the persons subscribing to the said institution.

How the surplus money shall be appropriated.

JOHN ST. CLAIR, *Speaker*
of the house of Representatives.

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

APPROVED—the twenty-eighth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CLXXIII.

An ACT to enable the governor of this commonwealth to incorporate a company for erecting a bridge over the river Delaware, near the town of Milford, in the county of Wayne.

WHEREAS the legislature of the state of New Jersey, on the twenty-seventh day of January, in the year one thousand eight hundred and fourteen, passed an act authorizing the governor of said state to incorporate a company for erecting a bridge over the river Delaware, near the town of Milford, in the county of Wayne, Pennsylvania, and in and by the fifteenth section of the said act it was enacted that nothing in the said act should be deemed, taken, or construed, to authorize or empower the persons subscribing as mentioned in said act, or shall give any power or authority to such subscribers to do any act, matter, or thing, therein mentioned, until such time as the legislature of the commonwealth of Pennsylvania shall

by law vest the like power and authority in such subscribers, to erect the said bridge and extend the same across to the opposite shore, with as full and ample power, privileges, franchises, and emoluments, as to the said subscribers were given by said act; and it being necessary for this commonwealth to give their assent to said act before the same can go into operation and effect: Therefore,

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 assent of this commonwealth be and the same is hereby given to the said act, passed by the legislature of the state of New Jersey the twenty-seventh day of January, one thousand eight hundred and fourteen, entitled "An act to authorize the governor of this state to incorporate a company for erecting a bridge over the river Delaware, near the town of Milford, in the county of Wayne, Pennsylvania: and the same is hereby adopted, ratified, and confirmed, by this commonwealth, as fully and amply as if the same had been re-enacted at large, section by section, and the provisions thereof shall be in full force and effect within this commonwealth, and the said act of the state of New Jersey shall be annexed to this act, and published in the same manner as the laws of this commonwealth usually are.

A law of N. Jersey adopted by this state.

STATE OF NEW JERSEY.

An ACT to authorize the governor of this state to incorporate a company for erecting a bridge over the river Delaware, and near the town of Milford, in the county of Wayne, Pennsylvania.

SECT. 1. *BE it enacted by the council and general assembly of this state, and it is hereby enacted by the authority of the same,* That Simon Coruright, Daniel Stewart, John Gustin, and Israel Caufield, of the county of Sussex, and state of New Jersey, and John Broadhead, John Brink, Dan Dimmick, John Cross, and James Wallace, of the county of Wayne, and commonwealth of Pennsylvania, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned: *That is to say,* they shall and may on or before the first day of May 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 the river Delaware, near Milford, county of Wayne, and commonwealth of Pennsylvania, the sum of fifty dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportion, 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

Commissioners named.

Their first duty to open books, &c.

governor of this state to incorporate a company for erecting a bridge over the river Delaware, near the town of Milford, in the county of Wayne, and commonwealth of Pennsylvania: Witness our hands day of in the year of our Lord one thousand eight hundred and :”

Notice to be given when and where the books will be opened.

And shall thereupon give notice in one of the public newspapers printed at Trenton, in one of the public newspapers printed at Philadelphia, in the newspapers printed at Easton, county of Northampton, commonwealth of Pennsylvania, and in a newspaper printed at Goshen, county of Orange, state of New York, for one calendar month at least, of the times and places in the city of Philadelphia, the town of Milford, and city of Trenton, when and where the said books shall be opened to receive subscriptions for the stock of said company, at which respective times and places some one of the said commissioners shall attend, and shall permit all persons who shall offer to subscribe in the said books, which shall for that purpose be kept open at least six hours in every juridical day, for the space of at least three juridical days, if three days shall be necessary, and on any of the juridical days within the hours aforesaid, any person of the age of twenty-one years shall have liberty to subscribe in his own name or in the name or names of any person or persons by whom he shall be authorized for one share, on the second day for one or two shares, on the third day for two or three shares, and on any succeeding day while the books shall remain open for any number of shares in the said stock; and if at the expiration of the said three first days the said books opened at Philadelphia shall not have one hundred and fifty shares therein subscribed, or the book to be opened at Milford shall not have one hundred and fifty shares therein subscribed, or the book opened in New Jersey shall not have one hundred and fifty shares therein subscribed, the said commissioners respectively may adjourn from time to time, until the said number of shares shall be subscribed, of which adjournment public notice shall be given at each place, and when the said subscriptions in the said books shall amount to the respective numbers aforesaid, the same shall be respectively closed, and if before the said subscription shall be declared to be full, application shall be made to subscribe more shares than will fill the said books, or either of them, then the said commissioners respectively shall apportion the whole number of shares at such respective places among all those who shall have subscribed, or offered to subscribe as aforesaid, on that day at such place, by deducting from the subscribers of more shares than one, such proportion of the shares by them respectively subscribed as will leave every person one or more shares; but if after any of the said books shall have been opened at any of the respective places aforesaid, for the space of three calendar months, the whole number of shares to the places herein before respectively allotted shall not have

When the books shall be closed.

In what cases the subscriptions shall be apportioned.

been subscribed, the said book or books may be respectively transferred to any other of the said places, and there kept open as aforesaid until the said subscription shall be full as aforesaid, public notice being given thereof at the places whence and whereto the said book or books shall be respectively transferred: *Provided always*, that every person offering to subscribe in the said books in his own name or any other name, shall previously pay to the attending commissioner or commissioners ten dollars for every share to be subscribed, out of which shall be defrayed the expences attending taking of such 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 and the officers chosen, as is hereinafter mentioned.

Books may be transferred.

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SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty-five persons or more shall have subscribed one hundred shares in said stock, the said commissioners respectively may, and when the whole number of shares shall be subscribed shall, certify under their hands and seals the names of the subscribers and the number of shares subscribed by, or apportioned to each subscriber, to the governor of this state, and thereupon it shall and may be lawful for the governor, by letters patent, under his hand and the seal of the state, to create and erect the subscribers, and if the said subscriptions be not full at that time then also those who shall afterwards subscribe to the numbers aforesaid, into one body politic and corporate, in deed, and in law, by the name, style, and title of "The President, Managers, and Company, for erecting a bridge over the river Delaware, near the town of Milford," and by the said name the said subscribers shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and increase and profits thereof, and enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act, and of purchasing, taking, and holding to them and their successors and assigns, in simple fee, or for any less estate, all such lands, tenements, hereditaments, estate, real or personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

When the governor may issue letters patent.

And incorporate the said company by the name of....

Powers of the company.

SECT. III. *And be it further enacted by the authority aforesaid*, That five of the persons named in the letters patent shall, as soon as conveniently may be after sealing the same, give notice in one of the public newspapers printed at Trenton, also in one or more of the newspapers printed in Philadelphia, also in one of the newspapers printed at Easton, Northampton

Notice to be given of the organization of the company.

county, state of Pennsylvania, 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 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, six 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 other officers shall be chosen, and may make such by-laws, rules, orders, and regulations, not inconsistent with the laws of this state, as shall be necessary for the well ordering the affairs of the said company: *Provided always*, that no person shall have more than five votes at any election, or in determining any question arising at any such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under the said number.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the stockholders shall meet on the first Monday in May in every succeeding year, in such place as shall be fixed by the rules and orders of the said company to be made as aforesaid, for the purpose of choosing such officers as aforesaid for the ensuing year.

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed for all the shares of stock of the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, in part of the sum due thereon the sum of twenty dollars for each share, which share shall be transferable at his pleasure in person or attorney, in presence of the president or treasurer, subject however to the payments due and to become due thereon, and the assignee holding any certificates, having first caused the assignment to be entered in a book of the company to be kept for the purpose, shall be a member of the corporation, and for each certificate by him held shall be entitled to one share of the said capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business, and at such meetings five shall be a quorum, who, in the absence of the president may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book, and a quorum being met they shall have full power and authority to agree with, and appoint such engineers, superintendants, artists, and other officers, as they shall think necessary to carry on the said bridge, and to fix their salaries and other wages, to ascertain the times, man-

Officers to be chosen.

May make by-laws.

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Meetings of the stockholders.

Certificates of the stock to be procured.

Stock transferable.

Five members shall be a quorum to transact business.

Powers of a quorum.

ner, and proportions, in which the stockholders shall pay the money due on their respective shares in order to carry on their work, to draw orders on the treasurer for all moneys to pay the salaries of persons by them employed, and for the materials provided, and labour done, and which shall be signed by the president, or, in his absence, by a majority of a quorum, and countersigned by their clerk, and to do and transact all other such acts, matters, and things, as by the by-laws, orders, and regulations, of the said 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 given in some one of the public newspapers printed at Trenton, in one or more of the public newspapers printed at Philadelphia, and Easton, respectively, of the time and place appointed for the payment of any proportion or dividend of the said capital stock, shall neglect to pay such proportion at the time appointed, for the space of forty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to the dividend so called for, pay at the rate of five per centum per month for every delay of such payment, and if the same, and the additional penalties, shall remain unpaid for such space of time that the accumulated penalties shall become equal to the sums before paid on account of such shares, the same shall be forfeited to the said company, and may and shall be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor.

Penalty for neglect of paying instalments.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the president and managers aforesaid, their superintendants, engineers and artists, to enter into and upon all the lands, tenements and enclosures near to the place where the said bridge is to be built, and to take any stones from fish dams; and to examine the ground for the purpose of opening quarries of stones, and of obtaining gravel and sand, or other materials necessary for building the said bridge; and that it shall and may be lawful for the said managers, overseers, superintendants, or any other persons employed in building the said bridge, to enter with waggons, carts, sleds or sleighs, or beasts of burden or draught of any kind whatsoever; first giving notice to the owners, doing as little damage as possible, and repairing any breaches in fences they may have occasion to make, and making amends for any damage that may be done, which damage shall be ascertained by the parties if they can agree, or if they cannot agree, then by appraisement to be made as is hereinafter directed, upon oath or affirmation, by three disinterested freeholders or any two of them to be mutually chosen; or if the owners or the said managers, superintendants, engineers or artists upon due notice, shall neglect or refuse to join in the choice, then the said freeholders to be appointed by any justice of the peace of

Company may enter upon lands, &c.

And make amends for damages done.

How damages shall be ascertained.

the county, not interested on either side ; and the said managers or other persons as employed by them as aforesaid, after tender of the appraised value to the owner, may enter and dig, take and carry away any stone, gravel, sand or earth most conveniently situated for making and repairing the said bridge.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the president and managers of the said company shall keep fair and just accounts of all monies received by them from the said commissioners, and from the subscribers to the said undertaking, and of all penalties for delay in the payment thereof, and of the amount of the profits or shares that may be forfeited as aforesaid, and of all voluntary contributions ; and also, of all monies by them expended in the prosecution of the said work, and shall at least once in every year submit such accounts to a general meeting of the stockholders, until the said bridge shall be completed, and until all costs, charges and expenses for effecting the same shall be fully paid and discharged ; and the aggregate amount of all such expenses shall be liquidated and ascertained, and if upon such liquidation, or whenever the whole capital stock of the company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete the said bridge according to the true intent and meaning of this act, it shall and may be lawful for the said president and managers and company, at a stated or special meeting to be convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the monies subscribed for such shares in like manner and under the like penalties as are herein before provided for the original subscripton.

SECT. X. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge is erected over the said river Delaware at the place aforesaid, the property of the said bridge shall be vested in the said company as aforesaid, their successors and assigns forever, and the said company their successors and assigns, may demand and receive toll from travellers and others, agreeably to the following rates, *to wit* : For every coach, landau, chariot, phaeton, or other pleasurable carriage with four wheels, twenty cents for each horse drawing the same ; for every waggon with four horses, seventy cents ; and for every carriage of the same description drawn by two horses, forty cents ; and for the same with one horse, twenty cents ; for every chair, riding chair, sulkey, cart or other two wheeled carriage, or a sleigh, or sled with two horses, thirty cents ; and for the same with one horse, twenty cents ; for a man and horse, eight cents ; for every led horse or mule, five cents ; for every foot passenger, two cents ; for every head of horned cattle, two cents ; for every sheep or swine, one cent each : *provided always,* that the said bridge shall in no wise injure, stop or interrupt the navigation of the said river, or prevent boats from crossing, or persons from fording said river.

Company to keep fair accounts, &c.

And submit the same to the stockholders.

When the number of shares may be increased.

The bridge vested in said company.

Rates of toll.

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SECT. XI. *And be it further enacted by the authority aforesaid,* That in fixing the toll of all carriages to be drawn wholly by oxen, or partly by horses and partly by oxen, two oxen shall be estimated equal to one horse. Estimation of certain toll.

SECT. XII. *And be it further enacted by the authority aforesaid,* That if the said company their successors and assigns, and whosoever shall own or possess the said bridge, shall collect or demand any greater rates or prices for the passing over the said bridge than what is herein before prescribed and specified, or shall neglect to keep the said bridge in good repair; he, she or they so offending shall for every such offence forfeit and pay a penalty not exceeding the sum of twenty-five dollars; one moiety thereof for the use of the poor of the township of Upper Smithfield, in the county of Wayne and commonwealth of Pennsylvania, and the township of Montague, in the county of Sussex, equally to be divided; and the other moiety for the use of the person who may sue for the same: *provided always,* that no suit or action shall be brought, unless within thirty days after such offence shall be committed. Penalty for exacting illegal toll. Proviso.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the president, managers and company shall keep a just and true account, of all and every the monies received by their several and respective collectors of tolls for crossing the said bridge; and shall make and declare a dividend of the profits and income thereof, among all the subscribers to the said company's stock, deducting first therefrom, all contingent costs and charges, and such proportion of the said income as may be deemed necessary for a growing fund, to provide against the decay, and for the rebuilding and repairing of the said bridge; and shall on every first Monday in April and October of every year, publish the dividend to be made of the said clear profits thereof among the stockholders, and of the time and place, where and when the same shall be paid, and cause the same to be paid accordingly. Just accounts to be kept of tolls, &c. Of dividends,

SECT. XVI. *And be it further enacted, by the authority aforesaid,* That the said president and managers shall at the end of two years next after the bridge aforesaid shall be completed, lay before the legislature of this state, an abstract of their accounts, shewing the whole of the capital expended in the prosecution of the said work, and of the income and profits arising from the toll for and during the said period; together with an exact account of 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 two years after the said bridge shall be completed, it shall appear from the average profits of the said two years, that the said clear income and profits thereof, will not leave a dividend of six per centum per annum, on the whole capital stock of the said company so expended, then it shall and may be lawful for the said president, managers and Accounts to be rendered to the legislature. When the tolls may be increased.

company, to increase the tolls herein allowed, so much as will raise the dividends to six per centum per annum; and at the end of every ten years after the said bridge shall be completed, they shall render to the legislature a like abstracts of their accounts for three preceding years; and if at the end of any decennial period, it shall appear from such abstract, the clear profits and income of the said company will bear a dividend of more than ten per centum per annum, then the said tolls shall be so reduced, as will reduce the said dividend to ten per centum per annum.

SECT. XV. *And be it further enacted by the authority aforesaid,* That nothing in this act shall be deemed, taken, or construed, to authorize or empower the governor to incorporate or empower any persons subscribing as aforesaid, or shall give any power or authority to such subscribers, to do any act, matter or thing therein mentioned, until such time as the legislature of the commonwealth of Pennsylvania shall by law vest the like power and authority in such subscribers, to erect the said bridge and extend the same across to the opposite shore, with as full and ample powers, privileges, franchises and emoluments, as to the said subscribers are herein given; and the said subscribers having such authority, shall be incorporated as aforesaid, and shall proceed in the said work with all convenient speed; and if the said company shall not proceed to carry on the said work within the space of five years after they shall be incorporated, or shall not within ten years from the passing of this act and a similar act shall be passed by the legislature of the commonwealth of Pennsylvania, complete the said bridge, it shall and may be lawful for the legislature of this state to resume all and singular the rights, liberties and privileges hereby granted to the said company.

JOHN ST. CLAIR, *Speaker*
of the House of Representatives.

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

APPROVED—the twenty-eighth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CLXXIV.

An ACT enabling Andrew Oliphant, guardian of William Smith, a lunatic, to sell and convey real estate.

WHEREAS it is represented to the legislature, that a certain William Smith, on due and legal enquiry, by virtue of a process from the court of common pleas, of the county of Fayette, has been reported to the said court to be non compos mentis; and that Andrew Oliphant has been appointed guardian over the person and estate of the said William Smith by the said court: *And whereas,* it appears by the inquisition that the

When this act shall be in force.

When the bridge shall be commenced.