

hundred and thirteen: *Provided*, That the time for re-payment shall not exceed three years from the passage of this act.

JACOB HOLGATE, *Speaker*
of the *House of Representatives*.

JOHN TOD, *Speaker of the Senate*.

APPROVED—the eleventh day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER C.

An ACT to authorize the governor to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the borough of Norristown, in the county of Montgomery, and for other purposes.

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 Matthew Roberts, Matthias Holstein, John Elliot, Levi Pawling, George W. Holstein, Philip Hahn, jun. Thomas Humphrey and Davis Henderson, of the county of Montgomery, 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 June next, procure a book or books, and therein enter as follows; "We whose names are hereunto subscribed, do promise to pay to the treasurer of the company for erecting a permanent bridge over the river Schuylkill, at or near the borough of Norristown, for the use of the said company, the sum of fifty dollars for each share of stock set opposite to our respective names, by us subscribed, 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 governor to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the borough of Norristown, in the county of Montgomery." Witness our hands this* day of one thousand eight hundred and

Commissioners names.

Their duty.

When books shall be opened.

And shall, thereupon, give notice in three newspapers printed at Philadelphia, and two printed in the borough of Norristown, for one calendar month at least, of the times and places when and where the said book or books shall be opened to receive subscriptions for the stock of the said company, at which respective times and places some one of the said commissioners shall attend, respectively, and shall keep open said book or books at least six hours in every day for three juridical days, if so many shall be necessary, and allow any person of the age of twenty-one years to subscribe therein, in his own name, or in the name or names of any person or persons by whom he shall be authorized so to do, for any number of shares in the said stock, until four hundred shares shall be subscribed, when the books shall be closed; but if

the whole number of shares should not be subscribed, the said commissioners may adjourn to such times and places as they shall think necessary, of which adjournment public notice shall be given, and when the subscriptions shall amount to four hundred shares as aforesaid, the books shall be closed: *Provided always*, That every person offering to subscribe in the said book or books, in his own name, or in that of any other person, shall, at the time of subscribing, pay to the attending commissioner or commissioners, five dollars for every share so to be subscribed, out of which monies shall be defrayed the expenses attending the taking of such subscription, and other incidental charges, and the remainder shall be paid over, by the said commissioners, to the treasurer of the corporation, as soon as the same shall be organized, and the officers thereof chosen, as is hereinafter directed. Proviso.

SECT. II. *And be it further enacted by the authority aforesaid*, That the said commissioners, or a majority of them, when two hundred shares shall have been 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, 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 the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "The President, Managers and Company of the Schuylkill Bridge at Norristown," 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 the increase and profits thereof, and of enlarging the same by new subscriptions, in such manner and form as they may 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 fee simple, or for any less estate, all such lands, tenements, hereditaments, estate, real and 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 letters patent may issue.

SECT. III. *And be it further enacted by the authority aforesaid*, That the six persons first named in the said letters patent, shall, as soon as conveniently may be, after the same have been sealed, give notice in three newspapers printed in the city of Philadelphia, and two in the borough of Norristown, of the time and place by them to be appointed, not less than one calendar month 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 said subscribers, by ballot, to be delivered in person or by proxy duly authorized, one president and six managers, and one treasurer, who shall serve until other officers shall be lawfully chosen as hereinafter directed, and make such by-laws, rules, orders and regulations, not incon- Style of the company.

Organization of the company.

Proviso. *sistent with the laws of this commonwealth, as shall be found necessary for the well-ordering of the affairs of the said company : Provided always, That no person shall have more than ten votes at any election, or in determining any question arising at such meetings, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share under ten.*

Meetings for choosing officers. *SECT. IV. And be it further enacted by the authority aforesaid, That the said stockholders shall meet on the fourth Monday in December next following the organization of said company, and on the fourth Monday in December in every succeeding year, at such place as shall be fixed on 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.*

Certificates of stock, *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 of such certificates, signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, to each person for every share by him subscribed and held, he paying to the treasurer, in part of the sum due thereon, the sum of ten dollars for each share ; which certificate shall be transferable at his pleasure, in person or by attorney, in presence of the president or treasurer, subject, however, to the payments due, or that may grow due thereon, and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of said corporation, and for every certificate by him held, shall be entitled to one share of the capital stock, and of all the estate and emoluments of the company, and to vote as aforesaid at the meetings thereof.*

Of a quorum. *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 their business, at such meetings five members 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 said bridge, and to fix their salaries and other wages ; to ascertain the times, manner, and proportions in which the stockholders shall pay the money due on their respective shares, in order to carry on the work of the said bridge, to draw orders on the treasurer for all monies to pay the expense accruing on the erection of said bridge, 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 an other such matters and things as by the bye-laws, orders and regulations of the company shall be committed to them.*

Powers of. *SECT. VII. And be it further enacted by the authority aforesaid, That if any stockholder, after thirty days notice, given in one or more newspapers printed at Philadelphia, and in two printed at*

Of instalments.

Norristown, of the time and place appointed for the payment of any instalment of said capital stock, shall neglect to pay said instalment at the time appointed, every such stockholder, or his assignee, shall, in addition to the proportion so called for, pay at the rate of four per centum per month for every delay of such payment; and if the same and the said additional penalties shall remain unpaid for such a 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 be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor, or the president and managers may sue for and recover the same before any justice of the peace, or in any court of competent jurisdiction.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the president and managers of said company, shall keep fair and just accounts of all monies received by them from the commissioners aforesaid, and from the subscribers to the capital stock of said company, and for all penalties for delay in payment of, and of the amount of the profit on shares which may be forfeited as aforesaid, and of all voluntary contributions, and also of all monies expended by them in the prosecution of the said work, and shall, at least once in every year, submit such accounts, in detail, to a general meeting of the stockholders, until the said bridge be completed, and all expenses incurred in erecting 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 will not be sufficient to complete said bridge, according to the true intent of this act, it shall be lawful for the said 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 on such shares, in like manner and under like penalties as are herein before provided for the original subscription.

SECT. IX. *And be it further enacted by the authority aforesaid,* That when a complete bridge shall be erected at the place aforesaid, by said company, at least twenty-one feet wide in the clear, with a good and sufficient railing on each side, the property thereof shall be vested in the said company and their successors; and the said company and their successors, may demand and receive toll from travellers and others, agreeably to the following rates, a list of which shall be placed near said bridge for the information of passengers, to wit: For every score of sheep, six cents; for every score of hogs, ten cents; for every score of cattle, twenty cents, and so for a greater or less number; for every horse or mule, three cents; for every horse and rider, four cents; for every foot passenger, one cent; for every sulkey, chair or chaise, with one horse and two wheels, ten cents; for every chariot, coach, phaeton or chaise, with two horses and four wheels, twenty cents; for either of the aforesaid carriages, with four horses, thirty cents; and for every other carriage of pleasure, under whatever names, the like sum accord-

ing to the number of wheels and of the horses drawing the same; for every stage waggon with two horses, twelve and an half cents; for every such waggon drawn by four horses, twenty-eight cents; for every sleigh, six and a quarter cents for each horse drawing the same; for every sled, four cents for each horse drawing the same; for every waggon or cart, five cents for each horse drawing the same; and two oxen shall be estimated equal to one horse; nor shall any carriage or waggon drawn by more than six horses or oxen be entitled to pass over the said bridge: *Provided always*, That no toll shall be taken from any person attending funerals, or walking in military procession, or from persons belonging to the militia, in going to or returning from muster on days of training, nor going to or returning from public worship, nor children going to or returning from school, nor persons going to or returning from general elections: *And provided also*, That nothing in this act shall be so construed as to prevent the said company from contracting with any person or persons desirous of using said bridge, for an annual sum in lieu of the toll herein before mentioned.

Proviso.

Penalty for demanding illegal toll.

SECT. X. *And be it further enacted by the authority aforesaid*, That if the said company, or their successors, or any person or persons by their authority, shall collect or demand any greater toll for passing over said bridge, than what are herein before prescribed and specified, or shall neglect to keep the same in good repair, or keep a list of toll placed near the said bridge, on six days notice given by or from any justice of the peace in the county of Montgomery, they, so offending, shall, for every such offence, forfeit and pay the sum of fifty dollars, to be recovered as debts of the same amount are by law recoverable, one moiety thereof to go for the use of the poor of the county in which the suit may be brought, and the other moiety for the use of the person who shall sue for the same, but no suit shall be brought unless commenced within thirty days after the offence shall have been committed.

Of dividends.

SECT. XI. *And be it further enacted by the authority aforesaid*, That the president and managers shall also keep a just and true account of all monies received as toll for crossing said bridge, and shall make and declare a dividend of the profits and income, therefrom deducting contingent costs and charges, and shall, on the fourth Monday in December and June of every year, publish the dividend to be made of the said clear profits thereof, amongst the stockholders, and of the times and places when and where the same shall be paid, and shall cause it to be paid accordingly.

Accounts to be rendered the legislature.

SECT. XII. *And be it further enacted by the authority aforesaid*, That the president and managers shall, at the end of every five years after the said bridge shall be completed so far as to entitle them to receive toll, and at the end of every five years thereafter, lay before the general assembly of this commonwealth, an abstract of their accounts, showing the whole capital expended in the prosecution of said work, and of the income and profits arising from said bridge for and during the said respective period, together with an exact account of the costs and charges of keeping said bridge in repair, and all other contingent costs and charges, to the end that the clear annual income and profit thereof may be ascertained, and if at the end of any of the said quintennial pe-

riods, it shall be found that the nett proceeds shall be more than ten per cent. on the money expended in erecting the said bridge, then the tolls shall be reduced proportionably, so that the nett proceeds shall not exceed ten per cent. per annum.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within two years after they have been incorporated, or shall not, within the space of five years thereafter, complete the said bridge, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties and privileges hereby granted to the said company: *Provided,* That nothing in this act shall be so construed as to permit the company hereby incorporated, to issue any note or notes, in the nature or form of bank notes, or to perform any business as a banking company: *And provided also,* That if the company incorporated by this act, shall, at any time hereafter, misuse or abuse any of the chartered privileges hereby granted, the legislature may, at any time thereafter, resume all and singular the rights, liberties, privileges and franchises hereby granted to the said company.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully pull down, break or destroy, with intent to injure any part or parts of said bridge, or any toll-house, gates, bars or other property of the said corporation, appurtenant to, or erected for the use and convenience of said bridge, or the person employed in conducting the business thereof, or shall wilfully and without the consent and orders of said corporation, or any person or persons authorized by them, deface or destroy the letters or figures or other characters, in any written or printed list of the rates of toll, affixed in any place or places for the information of passengers and others, or who shall wilfully or 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 said corporation, the sum of twenty dollars, to be recovered, on conviction, before any justice of the peace, as debts of like amount are recoverable; but no suit shall be brought, unless commenced within thirty days after such offence shall have been committed, 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 the suit last herein mentioned, shall be brought within thirty days after such conviction had before any justice of the peace as aforesaid, and not otherwise.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the stockholders of the company for erecting a permanent bridge over the river Susquehanna, at or near M'Call's ferry, in the county of Lancaster, shall hold their annual meeting for the election of a president, directors and treasurer, and other purposes, on the third Tuesday in May, annually; and a majority of the stockholders present in person, or represented by proxy, shall be sufficient to constitute a choice; and so much of the act entitled "An act to authorize the governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Susque-

When the liberties of said company shall be forfeited.

Proviso.

Proviso.

Penalty for injuring any works of said bridge.

Proviso.

M'Call's ferry bridge company, when they shall hold their elections for officers.

hanna, at or near M'Call's ferry, in the county of Lancaster, passed March thirteenth, one thousand eight hundred and eleven, as is hereby altered be, and the same is hereby repealed.

JACOB HOLGATE, *Speaker*
of the *House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER CI.

An ACT to ascertain the boundary lines of a tract of land in York county, called "Solitude."

WHEREAS, it hath been represented to the legislature, by the petition of sundry inhabitants of York county, that a tract of land called Solitude, situate in Lower Chanceford Township, in the county aforesaid, hath been surveyed and patented agreeably to the laws of the state (formerly the province of Maryland) before the boundary line of this state and that of Maryland was finally ascertained: And whereas, none of the lines of the said tract are marked, or any corner fully known except the beginning or bounding corner, and a law is prayed for to ascertain the same, which appears just and right: 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 surveyor general of this commonwealth be authorized, and he is hereby required, on the application of any person, and at the proper charges and expense of the holders of lands within the tract of land called Solitude, situate in the county of York, to issue his order to the deputy surveyor of the said county, to survey the same, and ascertain the number of acres therein contained, over and above the quantity mentioned in the original patent, and make return thereof into the surveyor general's office, and the surveyor general shall certify the same to the secretary of the land office, and upon the payment of the customary price of lands of the date of the said patent, with interest for the said surplus; it shall be deemed and taken to be in full of all claim and demand of this commonwealth, of, in and to the land contained within the said lines, as fully and completely as if patents had issued for the same, and the said holders of the said lands respectively, shall hold the same agreeably to their respective surveys, without any further demand whatsoever of or from this commonwealth, according to their respective deeds; and the said lines, marked and known as aforesaid, shall forever be the boundary of the said tract of land called Solitude, any variance in the boundary hereby established, from any former survey or reputed boundary of the said tract of land, notwithstanding:

Solitude tract of land to be surveyed.

Duty of the surveyor general.

Of land holders.