

person to take charge of the said library, under such rules and regulations as they may prescribe: *Provided always*, That his compensation shall not exceed the sum of two dollars per day during the session of the legislature: and all purchases of books and maps for the library, shall be made under the direction of the said committee, and with the approbation of both branches of the legislature.

SECT. IV. *And be it further enacted by the authority aforesaid*, That, for the purpose of defraying the expenses incident to the said library and for purchasing additional books and maps, the sum of six hundred dollars is hereby annually appropriated, to be paid in the manner as aforesaid; which sum, after deducting therefrom the compensation to the person charged with the care of the library, and all other incidental expenses thereof, shall be expended by the said committee in the purchase of books and maps for the library.

REES HILL, *Speaker*
of the House of Representatives.

JOHN TOD, *Speaker of the Senate*.

APPROVED—the twenty-eighth day of February, one thousand eight hundred and sixteen.

SIMON SNYDER:

CHAPTER LXV.

An ACT to authorise the governor to incorporate a company to erect a bridge over the river Schuylkill, at or near Lewis' ferry in the county of Berks.

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 Mathew Brook, William Moore, Paul Geiger, Curtis Lewis, William High, Abraham Yost, Abraham Brower, senior, and Elijah Geiger, of the county of Berks, 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 Monday of May 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 Lewis' ferry, for the use of 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 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 authorise the governor to incorporate a company to erect a bridge over the river Schuylkill at or near Lewis' ferry, in the

County of Berks.' Witness our hands this _____ day of _____ one thousand eight hundred and _____." And

Notice to be given of opening books.

shall, thereupon, give notice in all the newspapers printed in the borough of Reading, for one calendar month at least, of the times and places 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 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 or persons of lawful age to subscribe 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 shall 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 subscribed, out of which monies shall be defrayed the expenses attending the taking of such subscriptions and other incidental expenses, 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: *Provided also*, That Daniel Leimbach and Abraham Knabb, of the township of Oley, Daniel Levan and Benjamin Schneider, of the township of Exeter, John Strohecker, of the borough of Reading, Samuel Baird, of Montgomery county, and John Miller, Sinking Spring, be, and they are hereby appointed commissioners to fix on the site or spot where said bridge shall be erected; and said commissioners shall be under the same restrictions as jurors appointed by the court of general quarter sessions, for fixing upon sites for the erection of bridges and for laying out roads, by an act passed the first day of March, one thousand eight hundred and fifteen; they shall receive for their services two dollars per day for each day they shall necessarily be employed in performing that duty, which money shall be paid by the treasurer of said company, by warrant drawn, signed by the president and countersigned by the secretary of said company.

Who may subscribe.

May adjourn and transfer books.

Proviso.

2d proviso.

Commissioners named to fix on the site.

Compensation.

When letters patent may issue.

SECT. II. *And be it further enacted by the authority aforesaid*, That the commissioners, or a majority of them, when twenty persons or more shall have subscribed two hundred shares or more, shall certify, under their hands and seals, the names of the subscribers and the number of shares subscribed by 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 Lewis' ferry," and by the same 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.

SECT. III. *And be it further enacted by the authority aforesaid,* That the six persons first named in the letters patent, shall, as soon as conveniently may be after the same shall have been granted, give notice in all the newspapers of the borough of Reading, 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, 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 inconsistent 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 the 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.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said stockholders shall meet on the third Monday in April next following the organization of said company, and on the third Monday in April 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 electing 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 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 the pleasure of such person, in person or by attorney, in pre-

Style of corporation:

Powers and privileges:

Notice of organizing the company.

What officers to be chosen.

Proviso.

Annual meeting.

Certificates of stock.

Price of shares. Stock

pre-transferable.

sence of the president or treasurer, subject, however, to the payments due or that may become due thereon, and the assignee holding any certificate, having first caused the assignment to be entered into 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.

5 members to constitute a quorum.

Their powers

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 keep minutes of all their transactions fairly entered into 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 time, manner and proportion in which the stockholders shall pay the money due on their respective shares, 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 the clerk, and to do and transact all such other matters and things as by the by-laws or orders and regulations of the company shall be committed to them.

Penalty on neglecting to pay instalments.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice given in all the newspapers printed at Reading, 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, in addition to the proportion so called for, shall 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 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.

Accounts to be kept and annually submitted to stockholders.

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, for all penalties for delay in payment thereof, and of the amount of the profit on shares which may be forfeited as aforesaid, of all voluntary contributions, and of all monies expended by them in the prosecution of the said work, and shall 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 said 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 and meaning 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 provided for the original subscription.

Number of shares may be increased.

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, the arch of which over the main channel of the river shall be at least one hundred and fifty feet in the clear, with a 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 lesser number; for every horse or mule, three cents; for every horse and rider, four cents; for every foot passenger, one cent; for every sulky, chair or chaise with one horse and two wheels, ten cents; for ever chariot, coach, phaeton or chaise with four wheels and two horses, twenty cents; for either of the aforesaid carriages with four horses, thirty-one cents; and for every other carriage of pleasure, under whatever denomination, the like sum according to the number of wheels and horses drawing the same; for every stage waggon with two horses, eighteen cents; for every sleigh, six and one-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 be entitled to cross over 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 on the Sabbath day, nor children going to or returning from school: *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.

Bridge, when completed, to rest in the company.

Rates of toll.

Proviso in favor of military processions, &c.

2d proviso.

SECT. X. *And be it further enacted by the authority aforesaid,* That if the said company, or their successors or any per-

Penalty on demanding illegal toll.

son or persons by their authority, shall collect or demand any greater toll for passing over said bridge, than is hereinbefore prescribed and specified, or shall neglect to keep the same in good repair, or to keep a list of toll placed near the said bridge, on ten days notice given by or from any justice of the peace in the county of Berks, 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 county of Berks, 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.

Dividends to be declared semi-annually.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the president and managers shall keep a just and true account of all toll received for crossing said bridge, and shall make and declare a dividend of the profits and income therefrom, deducting the contingent costs and charges, and shall on the fourth Monday in December and June in 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 laid before the legislature every 5 years.

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 receive toll, and at the end of 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 term, 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 profit thereof may be ascertained: and if at the end of any of the quinquennial periods, it shall be found that the nett proceeds shall exceed twelve 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 twelve per cent. per annum.

Time limited for commencing and completing the work.

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 the space of three years after the passing of this act, or shall not within the space of six years thereafter complete the said bridge, it shall and may be lawful for the legislature to resume all and singular the rights, liberties and privileges hereby granted to the said company.

Penalty on injuring the bridge.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully pull down, break or destroy 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 shall wilfully deface or destroy the letters, figures or other characters in any written or printed list of the rates of toll affixed in any place or places for 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 by law recoverable, but no such 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 any damages done to the said bridge, if the said sum or sums herein mentioned be not sufficient to repair the same: *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 if the company authorised by this act to be incorporated, shall at any time institute a bank, or issue any note or notes in the nature of bank notes, or carry on any business in the nature of banking, or if the president and managers or any other person or persons connected with said company, shall use or invest any part of the capital stock of said company in any unincorporated bank, then, or in either of those cases, all the powers and privileges granted by this act, shall cease and be determined.

SECT. xvi. *And be it further enacted by the authority aforesaid*, That nothing in this act contained, shall be so construed as to authorise the president and managers aforesaid, or any person or persons whatever, to put any obstructions in the river Schuylkill at the fording place near said bridge, or in the road leading thereto, but the same shall be and remain free and open for all persons to pass over and across the same as fully and effectually as if this act had not been passed.

REES HILL, *Speaker*
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of February, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER LXVI.

A SUPPLEMENT to the act, entitled "An act to enable the governor to incorporate a company for the purpose of making an artificial road from the Philadelphia and Lancaster turnpike road, between the twenty-third mile-stone and the Admiral Warren tavern, to the point where the Reading road intersects the Morgantown road, to the west of Jones' tavern in Berks county."

SECT. I. *BE it enacted by the Senate and House of Representa-*