

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 commissioners of the city and county of Philadelphia, be, ^{Duties of} and they hereby are authorised to prepare such parts of the new ^{commission-} prison in Arch street, as may be necessary for the reception and comfortable and safe keeping of such persons as now are or hereafter may be confined for debt within the said city and county, and that the sheriff thereof shall, as soon as the same shall be sufficiently prepared, remove thereto all such debtors as shall then be confined in the present debtors' apartment, and therein safely keep them and such other debtors as shall thereafter be confined within his bailiwick, and shall be, and hereby is exonerated from any charge of escape for having safely removed such prisoners as aforesaid.

SECT. II. *And be it further enacted by the authority aforesaid,* That as soon as the said debtors shall have been removed as aforesaid, the inspectors of the prison of the city and county ^{Inspectors} of Philadelphia, shall cause such alterations as they shall deem ^{authorised to} necessary to be made in the building now occupied as a debtors' ^{make altera-} apartment, and in the yard thereof, and shall use the same as a ^{tions in the} prison house of correction for the reception and safe keeping of untried prisoners charged with crimes, witnesses, vagrants, fugitives from service, servants and apprentices; and may use the apartments now appropriated for their accommodation, and also so much of the yard of the present debtors' apartment as may be deemed requisite for the confinement, accommodation and employment of convicts.

SECT. III. *And be it further enacted by the authority aforesaid,* That nothing in this act contained, shall be construed in any wise to affect any title which this commonwealth, or any individual or body corporate or politic, may have or claim in the said new prison, or the lots whereon the same is built, or to prevent any future legislature from repealing, altering or amending all or any of the provisions of this act.

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

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER LXXXVIII.

An ACT to authorise the governor to incorporate a company to erect a bridge over the river Juniata at the borough of Huntingdon.

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

tives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That

Commissioners named. Richard Smith, John A. Henderson, William Orbison, John H. Lambert, William Simpson, Patrick Gwinn, William Wermis Smith, and William R. Smith, 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 one or more 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 Juniata at the borough of Huntingdon, the sum of fifty dollars for 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 by the president and managers, in pursuance of an act of general assembly, entitled "An act to authorise the governor to incorporate a company to erect a bridge over the river Juniata at the borough of Huntingdon." And shall, thereupon, proceed to receive subscriptions for the stock of the said company, at such times and places as they shall think proper: *Provided always, That every person so subscribing in his own name or in the name of any other person, shall previously pay to the attending*

Books to be opened. *commissioners five dollars for every share so subscribed, out of which shall be defrayed the expenses of taking 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 agreeably to the provisions of this act.*

Proviso. *§5 to be paid at time of subscribing.*

When letters patent may issue. *SECT. II. And be it further enacted by the authority aforesaid, That when fifteen or more persons shall have subscribed eighty shares of the said stock, the said commissioners shall certify, under their hands and seals, to the governor of the commonwealth, the names of the subscribers and the number of shares subscribed, 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 said subscribers, and also all those who may afterwards subscribe, 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 Juniata at the borough of Huntingdon," 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 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 taking, purchasing, and holding to them and their successors, in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, 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, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.*

Style of corporation.

Powers and privileges.

SECT. III. *And be it further enacted by the authority aforesaid,* That the first five persons named in the letters patent, shall, as soon as conveniently may be after sealing the same, give notice in all the newspapers of the county of Huntingdon, of a time and place, to be by them 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, either in person or by proxy duly authorised, one president and six managers, and one treasurer, and such other officers as they may 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 and regulations, not inconsistent with the laws of this commonwealth, as shall be necessary for the well-ordering the affairs of the said company: *Provided always,* That each person shall be entitled to one vote for every share less than six, and that no share above six shall confer any right to voting at any of the meetings of the said company.

Notice of organizing the company.

Proviso.

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

Annual meeting of stockholders.

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers first to be chosen as aforesaid, shall procure printed certificates 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, and sealed with the seal of the corporation, to each subscriber for the share or shares subscribed and held by him, on paying to the treasurer, in part of the sum due on each share so held, the sum of twenty dollars; which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, subject to the payment of the sum due and to become due on each share so transferred, and the assignee holding such certificate, having first caused the assignment to be entered on the books of the company for that purpose kept, shall become a member of the corporation.

Certificates of stock.

transferable.

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 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 the 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 their

5 members a quorum.

Appoint engineers, &c.

work, to draw orders on the treasurer for all monies to pay the salaries of persons by them employed, and for the materials provided and labor 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.

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 the newspapers of the county of Huntingdon, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of forty days after the time so appointed, every such stockholder or his assignee, shall, in addition to the instalment so called for, pay at the rate of two 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 as such stockholder may hold, the same shall be forfeited to the said company, and may be sold to any person or persons and for such price as can be obtained therefor.

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 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 of stock, and of the amount of the profits on 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 stockholders, until the said bridge be completed, and until all the 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 stock of the said 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 president, 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 additional shares, in like manner and under the like penalties as are herein before provided for the original subscription.

Number of shares may be increased.

Bridge, when completed, to vest in the company.

SECT. IX. *And be it further enacted by the authority aforesaid,* That when a complete bridge is erected over the river Juniata, at the borough of Huntingdon aforesaid, the property of the said bridge shall be vested in the said company as aforesaid, their successors and assigns for ever; 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 and other pleasurable carriage

Rates of toll.

with four wheels, twelve and one-half cents for each horse drawing the same; for every waggon with four wheels and four horses, fifty cents, and for each additional horse drawing the same, five cents; and for every carriage of the same description drawn by two horses, twenty-five cents; for every chaise, riding chair, sulky, cart or other two wheeled carriage, or a sleigh or sled, with two horses, twenty cents, and for the same with one horse, fifteen cents; for a man and horse, six cents; for every led horse or mule, six cents; for every foot passenger, one cent; for every head of horned cattle, two cents; for sheep or swine, one cent each; and 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: *Provided*, That any person or persons attending funerals, any detachment of the military of this state or of the United States, or militia attending their duty on days of training, all persons attending divine service on the Sabbath day, and students or children attending any school or seminary of learning, shall, at all times, be exempted from paying said tolls; and 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 the said river.

Proviso.

Exception in favor of militia, &c.

SECT. X. *And be it further enacted by the authority aforesaid*, That if the said company, their successors and assigns, or whoever may own or possess the said bridge, shall collect or demand any greater rates or prices for 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 the sum of fifteen dollars, one moiety thereof for the use of the poor of the borough of Huntingdon, and the other moiety for the use of the person who may sue for the same: *Provided*, That no suit or action shall be brought unless within thirty days after such offence shall have been committed.

Penalty on demanding illegal toll.

SECT. XI. *And be it further enacted by the authority aforesaid*, That the said president, managers and company shall keep a just and true account of all money received by the several and respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof amongst all the stockholders, deducting first therefrom all contingent costs and charges, and such proportions of the said income as may be deemed necessary for a growing fund to provide against the decay, and for the re-building and repairing the said bridge, and shall on the first Monday in May and November in every year, publish the dividend to be made of the said clear profits thereof among the stockholders, and of the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly.

Of dividends.

SECT. XII. *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 general assembly of this commonwealth, an abstract of their accounts, showing the whole of the capital expended in the prosecution of the said work, and of the income and profits

Accounts to be exhibited to the legislature—

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 bear 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 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 five years after the said bridge shall be completed, they shall render to the general assembly a like abstract of their accounts for 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 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.

and in certain cases toll may be increased,

and also diminished.

Stock to be vested in the commonwealth.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the governor be, and he is hereby directed to subscribe twenty shares to the stock of the company to be incorporated under this act, to be paid when the abutments and piers of the said bridge shall be erected, and the subscriptions and payments aforesaid shall, for every share subscribed and paid, vest in the commonwealth all the rights and emoluments appertaining to a share or shares held by individual stockholders.

REES HILL, *Speaker*
of the *House of Representatives.*
JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER LXXXIX.

AN ACT to enable Edward Duffield and Joseph K. Swift, executors of John Swift, deceased, to sell and convey a certain tract of land therein mentioned.

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 Edward Duffield and Joseph K. Swift, executors of the last will and testament of John Swift, of Moreland township, Philadelphia county, deceased, or the survivor of them, be, and they are hereby authorised to sell at public sale, in any way they may see proper, after having given at least three weeks public