



scribed, 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.

SECT. II. *And be it further enacted by the authority aforesaid*, That the said commissioners, or a majority of them, when twenty persons or more shall have subscribed two hundred or more shares, 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 Hamburg;" and by the same name the said subscribers shall have perpetual succession, and all the 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, six managers, and one treasurer, who shall serve until other officers shall be lawfully

Commissioners may adjourn.

Proviso.

When letters patent may issue.

Style of corporation.

Powers and privileges.

Notice of organizing the company.

Officers to be chosen.

- Of by-laws. chosen as hereinafter directed, and make such by-laws, rules, orders and regulations, not inconsistent with the laws of the United States and 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.
- Proviso. *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.
- Annual meetings. *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 certificates 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 become 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 certificates of stock. *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 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 time, manner and proportion 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 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.
- Transferable. *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 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 time, manner and proportion 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 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.
- 5 members 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 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 time, manner and proportion 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 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.
- Record proceedings, appoint engineers, &c. *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 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 time, manner and proportion 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 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.

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 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 a fair and just account 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 works; 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 herein 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 the 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 feet in the clear, with a sufficient railing on each side, the property thereof shall be vested in said company and their successors; and the said company and in 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, four cents; for

every horse and rider, six cents ; for every foot passenger, one cent ; for every sulky, chair or chaise, with one horse and two wheels, twelve and an half cents ; for every chariot, coach, phaeton or chaise with two horses and four wheels, thirty cents, and for either of the aforesaid carriages with four horses, fifty 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, twenty cents, and for every such carriage with four horses, thirty cents ; for every sleigh, six and one-quarter cents for each horse drawing the same ; for every sled, five cents for each horse drawing the same ; for every waggon or cart, six 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, nor 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 Sabbath days, 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.

Proviso.  
Certain  
exemptions.

2d proviso.

Penalty on  
demanding  
illegal tolls.  
Penalty on  
neglecting to  
keep bridge  
in repair.

SECT. x. *And be it further enacted by the authority aforesaid*, That if the said company, or their successors, or any other person or persons by their authority, shall collect or demand any greater tolls 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 tolls placed near the said bridge, on ten days notice given by or from any justice of the peace in and for 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 from the time when 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 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, deducting therefrom the contingent costs and charges, and shall, on the fourth Monday in December and June in each year, publish the dividend to be made of the 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.

Abstract of  
accounts to  
be laid before  
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 five years after the said bridge shall be completed so far as 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 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 profits thereof may be ascertained; and if at the end of any of the quinquennial periods, it shall be found that the nett proceeds will bear a dividend of more than 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.

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 two years after the passing of this act, 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.

Time limited for commencing and completing the work.

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, gate or 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 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, a sum not exceeding 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 action at the suit of the said corporation for such wrongs, if the said sum or sums herein mentioned be not sufficient to repair and satisfy said damages: *Provided,* That the suit last herein mentioned shall be brought within thirty days after such conviction, and not otherwise: *Provided also,* That nothing in this act contained, shall extend to authorise the said president, managers and company to erect a bridge in the manner in this act before mentioned, without the consent of the owner or owners of the ground on each side of and contiguous to the said river where the said bridge may be erected, or to erect the same in such manner as in any way to interfere with, injure or interrupt the navigation thereof.

Penalty on injuring any part of the bridge, &c.

Proviso.

2d proviso, Preserving rights of land owners—and navigation of the river.

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

Business of banking prohibited

notes in the nature of bank notes, or carry on any business in the nature of banking, or if the president, any manager, or any other person 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.

Neither fording place, nor lock navigation to be obstructed.

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 streets leading thereto, or to interfere with the contemplated lock navigation of the river Schuylkill, 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 nineteenth day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

## CHAPTER CXXXVIII.

An ACT authorising John Dickson to convey certain lands, 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 it shall be lawful for John Dickson to execute a deed unto Jacob Cassat, John King and James Neely and their successors, trustees of the Presbyterian congregation of Great Connewago, in the township of Straban, in the county of Adams, for a tract of land situate in said township, containing fifty-two acres twelve perches and allowance, which was granted by patent unto James Dickson and his heirs, in trust for the use of the said congregation, they, the said trustees, paying unto the said John Dickson the amount of any just claim he may have against the said congregation.

Jacob Cassat &c. may sell the whole or part of the land.

Proceeds, how appropriated.

SECT. II. *And be it further enacted by the authority aforesaid*, That the above named Jacob Cassat, John King and James Neely and their successors, trustees as aforesaid, are hereby authorised and empowered, after receiving the above conveyance, to sell and convey the aforesaid land, or so much thereof as may be deemed expedient by the said congregation of Great Connewago, and the proceeds of such sale shall be vested in some productive fund or funds, under the direction of the said trustees and their successors, to be elected from time to time by a ma-