

house, Northampton town and Bethlehem turnpike road company.

SECT. 4. *And be it further enacted by the authority aforesaid, That if the said company shall not proceed to carry on the said work within five years after the passing of this act, or shall not within ten years thereafter complete the said road, according to the true intent and meaning of this act, then and in either of those cases all and singular the rights, privileges, liberties and franchises hereby granted to the said company shall revert to this Commonwealth.*

Of the commencement and completion of said road.

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

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

## CHAPTER CXXV.

### AN ACT

To authorise the Governor to incorporate a company to erect a bridge over French creek at the town of Franklin, in Venango county.

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 George M'Celland, Alexander M'Almont and William Connely, of the town of Franklin, and Henry Hurst and John Brooks, of the town of Meadville, 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 two 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 French creek at the town of Franklin, in Venango county, the sum of twenty 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 French creek*

Commissioners names.

Duty of.

Opening of books for subscriptions

at the town of Franklin, in Venango county.' Witness our hands the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_." And shall thereupon proceed to give such notice as to them may seem sufficient, of the times and places where the said books shall be opened to receive subscriptions; at which times and places some one or more of the commissioners shall attend for that purpose, and keep the said books open at least six hours in each of six succeeding juridical days, or until three hundred and twenty-five shares shall be subscribed; and if the said number of shares shall not be subscribed within that period, then the said commissioners respectively may adjourn from time to time, and transfer the books from place to place, until the said number of shares shall be subscribed: *Provided always*, That every person so subscribing in his or her own name, or in the name of any other person, shall previously pay to the attending commissioner two 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; such first payment on each share to be taken and considered as a part payment on each share subscribed.

Proviso.

Of letters patent.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when fifteen or more persons shall have subscribed one hundred and fifty 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 French creek at the town of Franklin," 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, 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, 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 the company.

Powers of.

SECT. 3. *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 some newspaper printed nearest to the town of Franklin, and such other notice as they may deem necessary, of a time and place to be by them appointed, not less than twenty 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, 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,* That each subscriber holding three shares or under, shall be entitled to one vote, and five shares shall entitle the holder to two votes, and that no share above five shall confer any right of voting at any of the meetings of said company.

SECT. 4. *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 aforesaid, for the purpose of choosing such officers as aforesaid for the ensuing year.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the president and managers first to be chosen as aforesaid, shall procure 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, 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 twelve 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.

SECT. 6. *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 quo-

Powers of. rum 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 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 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.

Of instal-  
ments,  
  
and forfeit-  
ures.

SECT. 7. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice given as aforesaid, 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 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 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.

Managers to  
keep just and  
fair accounts  
of all monies  
by them re-  
ceived.

When the  
number of  
shares may  
be increased.

SECT. 8. *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 hereinbefore provided for the original subscription.

SECT. 9. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge, with substantial stone abutments and piers, is erected over French creek at the town of Franklin 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 carriage of whatever description, used for the purpose of trade or agriculture, having four wheels and drawn by six horses, eighty-seven and a half cents; for every such carriage, having four wheels and drawn by five horses, seventy-five cents; for every such carriage, with four wheels and drawn by four horses, sixty-eight cents; for every such carriage, having four wheels and drawn by three horses, fifty cents; for every such carriage, with four wheels and drawn by two horses, thirty-seven and a half cents; for every carriage, of whatever description, used for personal accommodation or pleasure, having four wheels and drawn by four horses, eighty-seven and a half cents; for every such carriage, drawn by two horses, fifty cents; for every such carriage, drawn by one horse, twenty-five cents; for every carriage used for the purpose of trade or agriculture, having two wheels and drawn by two horses, twenty-five cents; for every chaise, riding chair or sulky, for each horse used therein, twenty-five cents; for every sled used for the purpose of trade or agriculture, drawn by two horses, eighteen and three-fourth cents, and every additional horse drawing the same, six cents; for every pleasure sleigh drawn by two horses, twenty-five cents, and for the same drawn by one horse, eighteen and three-fourth cents; for every horse and rider, ten cents; for every led horse or mule, six cents; for every foot passenger, one cent; for every head of horned cattle, three cents; for every head of sheep or swine, one cent; 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 militia attending their duty on days of training, persons attending elections, all persons going to and returning from divine service, 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 creek, or prevent boats from crossing, or persons from fording the same.

The bridge to be vested in said company.

Rates of toll.

Proviso.

**Penalty for exacting illegal tolls.**

**Proviso.**

SECT. 10. *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 as 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 to be laid out in repairing the streets of the town of Franklin, 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.

**Managers to keep true accounts of monies, &c.**

SECT. 11. *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 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,

**Abstract of accounts to be laid before the Legislature.**

**When tolls may be increased.**

**At the end of five years abstracts of accounts to be rendered, &c.**

SECT. 12. *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, 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 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 preceeding years, and if at the end of any such period of five years, it shall appear from such abstract, that the clear profits and income of the said company will bear a dividend of more than fifteen per centum per annum,

then the said tolls shall be so reduced as will reduce the said dividend to fifteen per centum per annum.

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

ISAAC WEAVER,  
*Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER CXXVI.

AN ACT

For the relief of Frederick Shriver, William Hamson, Elizabeth M'Cullough and Atcheson Mellon.

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 state treasurer be, and he is hereby directed to pay to Frederick Shriver, or his order, of Lancaster county, forty dollars immediately, and forty dollars annually during his life, to be paid half yearly, to commence the first day of January, one thousand eight hundred and seventeen. Frederick Shriver, gratuity and annuity.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the state treasurer be, and he is hereby directed to pay to William Hamson, of Lebanon county, or order, forty dollars immediately, and forty dollars annually during his life, to be paid half yearly, to commence the first day of January, one thousand eight hundred and seventeen. Wm. Hamson, gratuity and annuity.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the state treasurer be, and he is hereby directed to pay to Elizabeth M'Cullough, or order, widow of Robert M'Cullough, a soldier in the revolutionary war, forty dollars as a gratuity. Elizabeth M'Cullough, gratuity.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the state treasurer be, and he is hereby authorised to pay to James Collins, of Lycoming county, for the use of Atcheson Mellon, the annuity granted to said Atcheson Mellon by the second section of an act of Assembly, passed the first of March, eighteen hundred and eleven, to be expended agreeably to the provisions of said section, and so much of Atcheson Mellon annuity.