

so as to reduce the said dividend to fifteen per cent. per annum.

SECT. XV. *And be it further enacted by the authority aforesaid,* Term within the bridge must be begun and completed.  
That if the said company shall not proceed to carry on the said work within the space of three years, from the passing of this act, and shall not within the space of seven years from the passing thereof complete the said bridge, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights and privileges hereby granted to the said company.

JOHN WEBER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight hundred and ten.

SIMON SNYDER.

CHAPTER CXII.

An ACT to authorize the governor of this commonwealth to incorporate a Company for making a Toll-Bridge over Big-Beaver Creek, opposite the Town of Brighton.

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 Abraham Wellington, Jonathan H. Mendinhall, Benjamin Townsend, Isaac Wilson and Jacob Yoho, 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 July next procure at least three 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 Big-Beaver creek, opposite the town of Brighton, the sum of twenty-five dollars, for every share of stock in the said company, set opposite 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 the General Assembly entitled, "An act to authorize the Governor of this Commonwealth, to incorporate a company for erecting a bridge over Big-Beaver creek, opposite the town of Brighton." Witness our hands the day of in the year of our Lord, one thousand eight hundred and  
and shall thereupon give notice in one of the public newspapers printed at Pittsburgh, and one printed at Washington, one calendar month at least of the time, and places where the said books shall be opened to receive subscriptions for the stock of said company, at which respective places some one of

Commissioners named.  
Three books to be procured by first July next. Entry therein.  
Notice to be given of the time and places of opening the books.

One of the commissioners to attend.

Terms of subscription.

If 200 shares be not subscribed in three days, the commissioners may adjourn.

Notice thereof to be given.

If the books be not filled in two months, they may be transferred. Notice to be given thereof.

§5 on each share to be paid on subscribing.

How appropriated.

When the subscriptions shall be certified to the Governor.

Who shall there upon erect the Subscribers into a body politic. Name and style of.

And privileges.

the commissioners shall attend, and permit all persons who may offer to subscribe in the said books which shall be for that purpose, kept open at least six hours in every juridical day, for at least three juridical days, if three shall be necessary; and on the first juridical day within the hours aforesaid, any person of the age of twenty-one years, shall have the liberty to subscribe in his own name, or in the name of any other person by whom he shall be authorized for one share on the second day, for two shares on the third day, for one, two or three shares, and on any succeeding day, while the books shall remain open, for any number of shares in the said stock; and if at the expiration of the said three first days, the said books shall not have two hundred shares therein subscribed, the said commissioners respectively may adjourn from time to time, until the said number of shares be subscribed, of which adjournment public notice shall be given at each place, and when the said subscriptions in the said books shall amount to the respective numbers aforesaid, the same shall be respectively closed; but after the said books shall have been opened for the space of two calendar months, and the whole number of shares allotted shall not have been subscribed, the said book or books may be respectively transferred to any place or places, and there kept open as aforesaid, public notice being given thereof, at the place whence and whereto the said books shall be respectively transferred. *Provided always*, That every person offering to subscribe in the said book or books in his own name or any other name, shall previously pay to the attending commissioner or commissioners, five dollars for every share to be subscribed, out of which shall be defrayed the expense of attending, taking of 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, and the officers chosen as is hereinafter mentioned.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty-five persons or more, shall have subscribed one hundred shares or more in the said stock, the said commissioners respectively, shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each subscriber, to the Governor of this commonwealth, who thereupon shall, by letters patent under his hand and the seal of the state, create and erect the subscribers (and if the said subscription be not full at the time, then also those who shall afterwards subscribe to the numbers aforesaid,) 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 Big-Beaver Creek, opposite the Town of Brighton," 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 purchasing, taking and holding to them and their successors and assigns in fee simple, or for any less estate, all such lands tenements, hereditaments, estates real and personal, as shall be necessary and convenient to them in the prosecution of their work, 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 nine persons first named in the said letters patent, shall, as soon as conveniently may be after sealing the same, give public notice of a time and place by them to be appointed, not less than thirty days; 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, to be delivered in person or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they shall think necessary to conduct the business of said company for one year, and until other officers shall be chosen, and may make such by-laws, rules, orders and regulations not inconsistent with the laws of the United States and this commonwealth, as shall be necessary for the well-ordering the affairs of said company. *Provided always,* That no person shall have more than three votes at any election, or in determining any question at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held, not exceeding the said number.

Notice to be given when the corporation shall be organized.

Officers to be chosen.

Of by laws &c.

No person to have more than three votes, &c.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said stockholders shall meet on the last Monday in April, next after the date of their incorporation, and on the last Monday of April, in every succeeding year, and at such other times and places as shall be fixed by the rules and orders of said company to be made as aforesaid, for the purpose of choosing such officers as aforesaid, for the ensuing year.

Annual meetings to be held on the last Monday in April.

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 the stock of 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 the sum of five dollars in part for each share, which certificate shall be transferrable at his pleasure,

Evidences of stock to be issued.

Payment thereon.

Certificates to be transferable. Assignments of, to be entered in the company's books.

5 members to be a quorum.

Minutes to be kept.

Powers of a quorum.

Penalty on neglecting to pay instalments.

Managers &c. may enter upon lands, and take materials.

in person or by his attorney, in presence of the president or treasurer, subject however to the payments due, and 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 the corporation, and for every certificate by him held, shall be entitled to one share of the capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

**SECT. VI.** *And be it further enacted by the authority aforesaid,* That the said president and managers at such times and places; and being convened in such manner as shall be agreed on for transacting 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 present, 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, manners 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 and labour done and provided, which orders 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 company shall be committed to them.

**SECT. VII.** *And be it further enacted by the authority aforesaid,* That if any stockholder, after notice of the time and place appointed for the payment of any proportion or dividend of the said capital stock, shall neglect to pay such proportion at the time appointed, for the space of forty days after the time so appointed, every such stockholder, or his assignee shall, in addition to the dividends 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, the same shall be forfeited to the said company, and may, and shall be sold by them to any other person or persons willing to purchase for such price as can be obtained therefor.

**SECT. VIII.** *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the president and managers aforesaid, their superintendants, engineers and artists of every kind, to enter into and upon lands tenements and inclosures near to the place where the said bridge is to be built, to examine the ground for the purpose of building the buttments, and obtaining gravel or sand neces-

sary for the building the said bridge, and that it shall and may be lawful for the said managers, overseers, superintendants, or any other person employed in building the said bridge, to enter with waggons, carts, sleds or sleighs, or beasts of burthen, or draught of any kind whatsoever, first giving notice to the owners, doing as little damage as possible, and repairing any breaches of fences they may have occasion to make, first making amends for any damages that may be done, which damages shall be ascertained by the parties, if they can agree, or if they cannot agree, then by appraisement, to be made up on oath or affirmation, by three disinterested freeholders of the neighbourhood, or any two of them to be mutually chosen, or if the owners or managers, superintendants, engineers or artists, upon due notice, shall neglect or refuse to join in the choice, then the said freeholders to be appointed by any justice of the peace of the county, not interested on either side, and the said managers or other persons by them employed as aforesaid, after tender of the appraised value to the owner, may enter and dig, take and carry away any stone, gravel, sand or earth, most conveniently situated for making and repairing the said bridge.

Amends to be made. How damages shall be ascertained.

Tender of to be binding.

SECT. IX. *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 thereof, and of the amount of the profits or 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 the 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 whole capital stock of the company shall be nearly expended, it shall be found that the 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 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 shares in like manner, and under the like penalties as are hereinbefore provided for the original subscription.

Accounts to be kept of monies received.

And expended.

To be annually submitted to a meeting of the stockholders.

Number of shares may be increased.

SECT. X. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge shall be erected over the said creek at the place aforesaid, the property of the

The property of the

bridge to be vested in the company.  
Rates of toll. said bridge shall be vested in the said company, 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 coach, landau, chariot, phaeton or other pleasurable carriage with four wheels, drawn by four horses, the sum of seventy-five cents, and for the same carriages with two horses, fifty cents, for every waggon with four horses, fifty cents, and for every waggon drawn by two horses, thirty-seven cents, for every chaise, riding-chair, sulkey, cart, or other two wheeled carriage, or a sleigh or sled with two horses, twenty-five cents, and for the same with one horse, eighteen cents, for a single horse and rider, six cents, for every led horse or mule, two cents, for every foot passenger two cents, for every head of horned cattle two cents, for every sheep and swine, one cent. *Provided always*, 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 said creek.

SECT. XI. *And be it further enacted by the authority aforesaid*, That in fixing the toll of all carriages drawn in whole or in part by oxen, two oxen shall be estimated equal to one horse.

Penalty for exacting illegal toll.

SECT. XII. *And be it further enacted by the authority aforesaid*, That if the said company, their successors, assigns, or whoever shall own or possess the said bridge, shall collect or demand any greater rates or prices for the 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 ten dollars, one moiety thereof, for the use of improving the public highways in the townships annexed thereto, and the other moiety for the use of the person who may sue for the same. *Provided always*, That no suit or action shall be brought, unless it be within thirty days after such neglect or offence shall have been committed.

And of neglecting to keep the bridge in repair.

Suits to be brought within 30 days.

SECT. XIII. *And be it further enacted by the authority aforesaid*, That the president, managers and company, shall also keep a just and true account of all and every the monies received by the respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof, among all the subscribers to the said company's stock, deducting first therefrom, all contingent costs and charges, and shall, on the first Monday in April and October, every year publish the dividend to be made of the said clear profits thereof, amongst the stockholders, and of the time and place, where and when the same shall be paid, and shall cause the same to be paid accordingly.

Accounts of the receipt of tolls to be kept.

Dividends to be declared.

And paid.

SECT. XIV. *And be it further enacted by the authority aforesaid*, That all funeral processions and militia men, going to or from training, shall be privileged to pass over the said bridge without the payment of toll.

Exceptions as to the militia &c.

SECT. XV *And be it further enacted by the authority afore-* Bridge to be  
*said, That if the said company shall not proceed to erect the* began in 3  
 said bridge, within the space of three years after they shall years, and  
 have been incorporated, or shall not within the space of six finished in  
 years from the passing of this act, complete the said bridge, it six.  
 shall and may be lawful for the legislature of this common-  
 wealth, to resume all and singular the rights liberties and pri-  
 vileges hereby granted to the said company.

JOHN WEBER, *Speaker*  
*of the House of Representatives*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight  
 hundred and ten.

SIMON SNYDER.

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CHAPTER CXIII.

*A Supplement to an act entitled, "An act authorizing the go-  
 vernor to incorporate a company for making an artificial road  
 from Safe-Harbour at the mouth of Conestogoe creek, through  
 the village of Strasburg, to intersect either the Gap and New-  
 port turnpike, or the Philadelphia and Lancaster turnpike  
 road, or as near the former as possible.*

SECT. I. *BE it enacted by the Senate and House of Representatives*  
*of the Commonwealth of Pennsylvania in General As-*  
*sembly met, and it is hereby enacted by the authority of the same,*  
 That John Slaymaker junior, Christian Shirtz, Doctor Wil- Additional  
 liam B. Duffield and Henry Kenser be, and they are hereby commis-  
 appointed commissioners, in addition to those already sioners  
 appointed by the act to which this is a supplement, who, named.  
 together with the commissioners named in the original act,  
 are hereby empowered, authorized and required, to open  
 books under the same rules and regulations, and for the same  
 purposes as is contained in that act: *Provided*, the same be  
 done on or before the first day of July, next after passing this  
 act.

JOHN WEBER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight  
 hundred and ten.

SIMON SNYDER.

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CHAPTER CXIV.

*An Act supplementary to an act entitled, "An act allowing the  
 Philadelphia bank to establish branches."*