

the county of York, during the time of one month at least of the times and places when and where the said books shall be open to receive subscriptions, at such times and places some one of the said commissioners shall attend for that purpose, and keep open the said books during six hours in each of two successive juridical days, or until one thousand five hundred shares shall be subscribed for, and if fifteen hundred shares shall not be subscribed for within that period, then the said commissioners respectively may adjourn from time to time and from place to place, until the said number of shares shall be subscribed for, of which adjournments public notice shall be given by means of newspapers, and when one thousand five hundred shares shall have been subscribed for, the books shall be closed; *provided always*, that every person on entering his or her name in said books as a subscriber, shall pay five dollars on each share he or she shall subscribe for, towards a fund out of which shall be defrayed the expenses attending the taking such subscriptions, and all other incidental charges, and the remainder shall be paid over to the treasurer of the corporation as soon as the same shall be organized, such first payment on each share to be taken and considered as a part payment on each share so subscribed.

Transfer of books.

Proviso.

SECT. II. *And be it further enacted by the authority aforesaid*, That so soon as five hundred shares shall be subscribed for, by fifty or more persons, the said commissioners or any five of them may certify the same, together with a list of the subscribers and the shares by each subscribed, in writing to the governor, who thereupon shall constitute the said subscribers, and also those who may afterwards subscribe, under the provisions of this act, a body corporate and politic, by the name and style of "The President, Managers and Company for erecting a bridge across the river Susquehanna, at or near the borough of Marietta, in the county of Lancaster," and by the said namethesaid 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 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 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 or 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; *provided*, that if more money is subscribed and paid in than is necessary for building

When the governor may grant letters patent.

Name and style of the company.

Privileges of the company.

Proviso.

said bridge, the company shall cause the surplus to be returned to the stockholders who paid it in.

Notice of elections to be given.

SECT. III. *And be it further enacted by the authority aforesaid,* That the five persons first named in the letters patent shall, as soon as conveniently may be, after sealing the same, give notice in seven or more public papers, as prescribed in the first section of this act, of a time and place by them to be appointed, not less than twenty days from the time of issuing the 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, to be delivered in-person or by proxy duly authorized, one president and twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the company for one year, and until other officers shall be chosen, and they may make all such by-laws, rules, orders, and regulations, not inconsistent with the laws of the United States, or of this state, as shall be necessary for the well ordering the affairs of the company; *provided always,* that no person shall have more than five votes at any election, or in determining any question arising at such meetings, whatever number of shares he or she may have or be entitled to, and that each person shall be entitled to one vote for one share, and two votes for three shares, three votes for five shares, four votes for ten shares, and five votes for twenty shares.

Officers to be elected.

Proviso on votes.

Meeting of the stockholders.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the said stockholders shall meet on the first Monday in January, in every 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.

Certificates of stock

SECT. V. *And be it further enacted by the authority aforesaid,* That the president and managers shall procure printed certificates for all the shares of stock in said company, which shall be signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, and each subscriber shall be entitled to one such certificate for each share by him so subscribed for, on paying to the treasurer in part of the sum due thereon twenty dollars on each share, which certificates shall be transferable either by the owner in person or by his attorney duly authorized, in the presence of the president or of the treasurer for the time being, subject however to the payments due or that may grow due thereon, and the person to whom such transfer shall be made, shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

transferable.

Meeting of the company.

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 the business of the company, at which meetings five members shall be a quorum, who in the absence of the president shall choose a chairman, and shall keep minutes of their proceedings to be fairly entered in a book to be kept for that purpose. And a quorum being met they shall have full power and authority to appoint engineers, superintendants, artists, assistants, and workmen, as they shall deem necessary for the erection of the said bridge, and they shall fix their salaries and wages, they shall also have power to ascertain the times and manner and proportion in which the stockholders shall pay the money due on their respective shares, and to do and transact all such other matters and things, as by this act or by the by-laws, orders and regulations of the company shall be committed to them.

Quorum.

Their powers.

SECT. VII. *And be it further enacted by the authority aforesaid,*

That the said president and managers on their being chosen, in the first instance, shall call a meeting of the stockholders, and that meeting may elect five persons of the stockholders to examine and report the most eligible place or places for building the bridge and to treat with any body or bodies politic or corporate or individuals, for the purchase of their respective rights or any of them, to the place or places deemed eligible, and when the said place or places and terms on which it or they can be purchased are so reported, the said stockholders or a majority of those met, may fix on the place and terms, or the said stockholders or a majority of them may at any time agree to leave the determination both of place and terms to the president and managers.

Scite of the bridge to be ascertained.

SECT. VIII. *And be it further enacted by the authority aforesaid,*

That if any stockholder, after thirty days notice, in at least three papers printed in the county of Lancaster, and at least one in the county of York, of the time and places appointed for the payment of any proportion, dividend or instalment of the said capital stock still due on each share, shall neglect to pay the same for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall, in addition to the instalment so called for, pay at the rate of five per cent. per month for every delay of such payment, and if the same and the said additional penalties shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold by the direction of the president and managers, or a majority of a quorum of them at any of their meetings for transacting the business of the company. The order for that purpose being first entered in the minute book by the clerk at such meeting.

Penalty for non-payment of the instalments.

Forfeiture.

SECT. IX. *And be it further enacted by the authority aforesaid,*

That it shall and may be lawful for the said president and managers, their superintendants, engineers, artists and work-

Lands may be entered upon, &c.

men, to enter into and upon all the lands and inclosures near to the place where the said bridge is to be built, and to take all stones convenient, and to examine the ground for the purpose of opening quarries of stone, and for obtaining gravel, sand, or other materials for the building of the said bridge, and to enter with teams of any kind, first giving notice to the owners thereof, and doing as little damage as possible, and repairing any breach in fences that they may have occasion to make, and making amends for any damage they may have done, which damage shall be ascertained by the parties if they can agree and if not, then by the appointment of any two of three disinterested freeholders, one to be chosen by the managers or by any three of them; one by the owner or party aggrieved; and the third to be chosen by the two already so nominated, which freeholders shall be previously qualified by oath or affirmation, to decide to the best of their judgment between the party and the managers or the persons employed by them, and after tender of the appraised value, may proceed to take away any stone, gravel, sand or earth that may be most conveniently situated for their purpose of erecting or repairing said bridge: *provided*, that nothing in this act contained shall authorize said company to erect said bridge so as to injure, stop or interrupt the navigation of the said river.

SECT. X. *And be it further enacted by the authority aforesaid*, That the said president and managers shall keep or cause to be kept, fair and just accounts of all receipts, payments and monies still due to, from or on part of said company, and shall submit the same at least once in every year to a general meeting of the stockholders, and whenever it shall appear manifestly to the said president, managers and company, at any such general meeting or at any special meeting convened for that purpose, according to the provisions of this act or of the by-laws of the company, that the bridge cannot be completed without extending the number of shares, the same shall be extended under the direction of such meeting, so far as may be necessary to complete the same, which additional shares shall be sold and regulated in all respects, and be attended with the same rights and privileges, as the original shares are herein or by the by-laws, rules or orders of the company directed to be.

SECT. XI. *And be it further enacted by the authority aforesaid*, That when a good and complete bridge under the authority of this act, shall be erected over and across the river Susquehanna, at or near the borough of Marietta, in Lancaster county, the property of the same shall be and is hereby vested in the aforesaid incorporated company, their successors and assigns forever, and the said company, their successors and assigns are hereby empowered to erect a gate or gates, and demand and receive tolls as follows, to wit: for every foot passenger six cents; for every carriage of whatever description used for the purpose of trade and

For what purposes.

Remedy for grievances.

Proviso.

The company to keep, correct accounts.

Shares may be extended.

Rates of toll.

agriculture, having four wheels and drawn by six horses one hundred and twenty cents; for every such carriage having four wheels and drawn by five horses one hundred and six cents; for every such carriage having four wheels and drawn by four horses eighty-seven and one-half cents; for every such carriage having four wheels and drawn by three horses sixty-eight and three-fourths of a cent; for every such carriage having four wheels and drawn by two horses fifty-six cents; for every such carriage having four wheels and drawn by one horse thirty-seven and a half cents; for every carriage of whatever description used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses eighty-seven and one-half cents; for every such carriage drawn by two horses sixty-two and one half cents; for every such carriage drawn by one horse forty-three and three fourths cents, for every carriage of whatever description used for the purposes of trade or agriculture, having two wheels and drawn by three horses fifty cents; for every such carriage drawn by two horses thirty-one cents; for every such carriage drawn by one horse eighteen and three fourths cents; for every chair or two wheeled carriage of pleasure for every horse used therein eighteen and three fourths cents; for every sleigh or sled drawn by four horses sixty-two and a half cents, for every sleigh or sled drawn by two horses forty-three and three fourths cents; for every sleigh or sled drawn by one horse thirty-one cents, for every horse and rider eighteen and three fourths cents, for every horse without a rider twelve and one half cents, for every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in the proportion of two oxen for one horse, every head of horned cattle two cents, every head of swine or sheep one and a half cents: *provided*, that any person or persons going to and returning from public worship, and those who attend funerals or any detachment of military, and children going to or returning from school, shall at all times be exempted from paying said toll. Proviso.

SECT. XII. *And be it further enacted by the authority aforesaid*, That if the said company their successors or assigns, or any person employed by them, shall collect or demand any greater rates or prices for the passing over said bridge than what is hereinbefore prescribed, or shall neglect to keep the same in good repair, he or they shall for every such offence, forfeit and pay thirty dollars, one half thereof for the use of the poor of the county of Lancaster, and the other half for the use of the person who shall sue for the same, to be recovered before any justice of the peace in the county of Lancaster: *provided always*, that no suit shall be brought in this respect unless within thirty days after the offence is committed. Forfeit for exacting illegal tolls, &c.
Proviso.

SECT. XIII. *And be it further enacted by the authority aforesaid,*

Accounts of tolls
to be kept.

Of dividends.

When dividends
shall be publish-
ed.

That the said president, managers and company shall keep a just account of all monies received by their several collectors of tolls for crossing said bridge, and shall declare and make a dividend of the income and profits thereof, among all the subscribers or stockholders of the said company's stock, in proportion to their respective shares, first deducting all contingent costs and charges, and such proportion of the said income as may be deemed necessary for a fund to provide against the decay, the repairing, or rebuilding of said bridge, as time and accident may render necessary. And shall on every first Monday in January and July, in every year, publish the dividend to be made of the clear profits arising from the tolls, among the stockholders, and of the time and place when and where the same shall be paid, and shall pay or cause to be paid the same accordingly.

SECT. XIV. *And be it further enacted by the authority aforesaid,*

Penalty for in-
juring any works
of the company.

That if any person or persons shall wilfully pull down, break or destroy with intent to injure, any part or parts of the said bridge, or any toll house, gates, bars, or other property of the said corporation, appurtenant to or erected for the use or convenience of said bridge or the person employed in conducting the business thereof, or shall wilfully and without the consent and orders of the said corporation or any person or persons authorized by them, deface or destroy the letters or figures or other characters, in any written or printed list of the rates of tolls, in any place or places for the information of passengers and others, or who shall wilfully and 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 the said corporation, the sum of twenty dollars, to be recovered before any justice of the peace, as debts of equal amount are recoverable; and he, she or they so offending shall remain liable to actions at the suit of the said corporation, for such wrongs, if the sum or sums that are herein mentioned be not sufficient to repair and satisfy said damages; *provided always,* that no suit shall be brought unless it be within thirty days after such offence shall have been committed:

Proviso.

SECT. XV. *And be it further enacted by the authority aforesaid,*

That the said president and managers shall at the end of every third year from the date of the incorporation, until three years next after the said bridge 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 work, and of the income and profits arising from the said toll during such period, together with an exact account of the

Every 3 years
the company
shall lay before
the assembly an
abstract of their
accounts.

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 three years after the said bridge shall be completed, it shall appear from the average profits of the said three years, that the clear income and profits thereof will not bear a dividend of six per cent. per annum on the whole capital stock of the said company so expended, then it shall be lawful for the said president, managers and company to increase the tolls herein allowed to be taken, so much on each particular item in proportion, as will raise the dividend to six per cent. per annum, and at the end of every ten years after the said bridge shall be completed, they shall render to the general assembly a like abstract of their accounts for the 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 twelve per cent. per annum, then the said tolls shall be reduced so as to reduce the said dividend to twelve per cent. per annum.

When the tolls may be increased.

SECT. XVI. *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 from the passing of this act, and not within the space of ten years from thence complete the said bridge, or shall misuse or abuse any of their chartered privileges, 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.

When the corporate privileges shall be forfeited.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That if the company authorized 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, any manager, or any other person connected with the said company shall use or invest any part of the capital of the said company, in any unincorporated bank, then or in any of those cases, all the powers and privileges granted by this act shall cease and be determined.

Company to be unconnected with banks, &c.

ROBERT SMITH, *Speaker*
of the House of Representatives.

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

APPROVED—the seventh day of February, one thousand eight hundred and fourteen.

SIMON SNYDER.