

and authorities hereby granted to the said corporation, create or in anywise cause a forfeiture thereof.

SECT. VII. *And be it further enacted by the authority aforesaid,* That no sale or alienation of the real estate of the said corporation, which may be made by the said trustees, or their successors, bona fide, for a valuable consideration, in case the possession thereof pass immediately to the purchaser or purchasers, and continue in him, her, or them, his, her, or their heirs or assigns, shall be invalidated for want of proving that eight of said trustees of said corporation consented to such sale and alienation, unless the same be controverted within the space of seven years from and after the sale and delivery of such real estate to the purchaser or purchasers thereof.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the sum of two thousand dollars be, and the same is hereby granted, to be paid by warrant to be drawn by the governor on the state treasurer, to the trustees of Lewistown academy, or a majority thereof; one thousand dollars thereof to enable them to erect suitable buildings for the said academy, or to be otherwise applied, under their direction, in such manner as they shall believe to be most advantageous for promoting the objects of said institution, and the remaining one thousand dollars shall be placed in some productive fund or funds, the increase thereof shall be applied in aid of other resources to compensate a teacher or teachers in said academy; but the money hereby granted shall not be paid until the sum of five hundred dollars shall have been secured to be paid by private subscription, for the benefit of said institution; and there shall be admitted into said academy, any number of poor children, who may, at any time, be offered, to be taught gratis; but the number so admitted and taught gratis, shall at no time be greater than five, and none of said children shall continue to be taught gratis in said academy longer than two years.

JACOB HOLGATE, *Speaker*
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER LXXIII.

An ACT to authorize the governor to incorporate a company for the purpose of erecting a bridge over the river Susquehanna, opposite the borough of Sunbury, in the county of Northumberland.

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 Charles Hall, Andrew Albright, Daniel Lebo and Jonas Weaver,

Names of commissioners.

Their first duties.

Books to be opened.

And when closed.

Proviso.

of the borough of Sunbury, James Duncan and James Potter, of Centre county, Christopher Seabold, Frederick Stees, Robert Barber, Jacob Hummel, Adam Light, John Grayhill and Joseph Fehrer, of Union county, and Simon Gratz and Stephen Girard, of the city of Philadelphia, and Jacob K. Boyer and Lewis Rees, of the county of Berks, and James M'Farland and Daniel Graeff, of Schuylkill county, be, and they are hereby appointed commissioners to perform the several duties hereinafter mentioned, *that is to say*, They shall, on or before the first day of June next, provide a book or books for the entering of subscriptions, and shall write therein 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 Susquehanna, opposite the borough of Sunbury, in the county of Northumberland, the sum of fifty dollars for every share of stock, in 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 the general assembly, entitled "An act to authorize the governor of this commonwealth to incorporate a company for the purpose of erecting a bridge over the river Susquehanna, opposite the borough of Sunbury, in the county of Northumberland." Witness our hands this day of in the year of our Lord one thousand eight hundred and ." And shall thereupon give notice in the newspapers printed at Sunbury, Northumberland, and in the counties of Union and Columbia, and in two of the public newspapers printed at Philadelphia, during one calendar month at least, of the times and places where the said books shall be open to receive subscriptions, at which times and places some one of the said commissioners shall attend for that purpose, and keep the said books open during six hours in each of four successive juridical days, or until two thousand two hundred 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, until the said number of shares shall be subscribed, of which adjournments public notice shall be given, by means of newspapers, at each place where the said books shall have been opened, or elsewhere, as occasion may require ; and when two thousand two hundred shares shall have been subscribed the books shall be closed, and public notice be thereof given in the newspapers printed at Sunbury, Northumberland, and in the counties of Union, Columbia and Philadelphia : *Provided always*, That every person on entering his name in the said books, as a subscriber, shall pay five dollars on each share he shall subscribe, out of which shall be defrayed the expenses attending the taking of 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 ; such first payment on each share to be taken and considered as a part payment on each share subscribed for.

SECT. II. *And be it further enacted by the authority aforesaid*, That as soon as six hundred shares shall be subscribed, the said commissioners, or a majority of them, may certify the same, together with a list of the subscribers, and the shares by each sub-

scribed, in writing, to the governor, who thereupon shall constitute the said subscribers, and also all those who may in future subscribe under the provisions of this act, a body corporate, by the name of "The President, Managers and Company for erecting a bridge over the river Susquehanna, opposite the borough of Sunbury, in the county of Northumberland," with all the privileges incident to a corporation, who shall have perpetual succession, 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, if such enlargement be necessary to fulfil the purposes of this act.

When the governor may incorporate the company, by the name of

SECT. III. *And be it further enacted by the authority aforesaid,* That the six persons first named in the letters patent of incorporation, shall, as soon as conveniently may be after receiving the same, give notice in two of the public newspapers of Philadelphia, and also in the newspapers printed at Sunbury, Northumberland, Union and Columbia counties, of a time and place, by them to be 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 corporation, and shall choose, by a majority of votes of the said subscribers, taken by ballot, to be delivered either in person or by proxy duly authorized, one president, six managers, one treasurer, one clerk, and such other officers as they may think necessary to conduct the business of the company during one year and until other officers be chosen, and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution or laws of this commonwealth, as may be necessary for the well-ordering the affairs of the company: *Provided always,* That no person shall have more than five votes, whatever number of shares he may be entitled to, and each person shall be entitled to one vote for each share by him held under that number.

Organization of said company.

By-laws.

SECT. IV. *And be it further enacted by the authority aforesaid,* That a public meeting of the said stockholders, shall be held on the first Monday of June in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of the company.

When the officers shall be chosen.

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, 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 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.

Certificates of stock, &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 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 kept for that purpose; and a quorum being met, they shall have full power and authority to appoint such engineers, artists, assistants and workmen as they shall deem necessary to the erection of the said bridge, and they shall fix their salaries and wages; they shall also have power to make contracts, to ascertain the times, manner and proportion in which the stockholders shall pay the money due on their respective shares; to draw orders on the treasurer for the monies necessary to pay salaries, wages, and bills for work and labour done and performed, or materials, furnished; 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 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.

A quorum shall keep minutes, &c.

Power of.

Of instalments.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice in some one or more of the newspapers printed in Philadelphia, and also in the newspapers printed in Northumberland, Union and Columbia counties, of the time and place appointed for the payment of any proportion, dividend or instalment of the said capital stock due on each share, and 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 may be forfeited to the company, and may be sold under the direction of the president and managers, or a majority of a quorum of them, at any of their meetings of transacting the business of the company, the order for that purpose being first entered in the minute book by the clerk at such meeting, or may be sued for, at the option of the company.

Company to enter into lands, &c.

Making amends for damages.

SECT. VIII. *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 workmen, 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 in the fish dams, and to examine the ground for the purpose of opening quarries of stones, and of 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, doing as little damage as possible, and repairing any breach of fences that they may have occasion to make, and first making amends for any damage that may be done, which damage shall be ascertained by the parties if they can agree, and if not, then by the appraisement of any two or three disinterested freeholders, one to be chosen by the managers or by any three of them, one by the owner or party claiming to be aggrieved, and the third to be chosen by the two already so nomi-

nated; which freeholders shall be previously qualified, by oath or affirmation, to decide to the best of their judgment between the parties; and the said managers or the persons employed by them, 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 for erecting or of repairing the said bridge.

SECT. IX. *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 due to, from or on part of the 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 proposed 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 proposed bridge; 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 and orders of the company, directed to be.

Just accounts
to be kept by
said compa-
ny.

Of additional
shares.

SECT. X. *And be it further enacted by the authority aforesaid,* That when a complete bridge, under the authority of this act, shall be erected over the river Susquehanna, opposite the borough of Sunbury, the property of the same shall be vested in the said incorporated company and their successors for ever, and the said company and their successors are hereby empowered to erect gates, and demand and receive tolls, as follows, viz. For every foot passenger, six and a fourth cents; for every carriage, of whatever description, used for the purpose of trade and agriculture, having four wheels and drawn by six horses, one dollar and fifty cents; for every such carriage having four wheels, drawn by five horses, one dollar and twenty-five cents; for every such carriage, having four wheels and drawn by four horses, one dollar and twelve and a half cents; and for every such carriage, having four wheels, drawn by three horses, eighty-seven and a half cents; for every such carriage, having four wheels, drawn by two horses, seventy-five cents; for every such carriage, having four wheels, drawn by one horse, thirty-seven and an 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, one dollar and twelve and an half cents; for every such carriage, drawn by two horses, seventy-five cents; for every such carriage, drawn by one horse, fifty cents; for every carriage, of whatever description, used for the purpose of trade or agriculture, having two wheels and drawn by two horses, sixty-two and a half cents; for every such carriage, drawn by one horse, thirty-seven and a half cents; for every chair, or two wheeled carriage of pleasure, per horse used therein, thirty-seven and a half cents; for every sled or sleigh, drawn by four horses, seventy-five cents; for every sled or sleigh drawn by two horses, thirty-seven and a half cents; for every sled or sleigh drawn by one horse, twenty-

Of gates, &c.

Rates of toll.

Proviso.

five cents; for every horse, mare, or gelding, with a rider, twenty-five cents; for every horse, mare, or gelding, without a rider, eighteen and three-fourths cents; 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, six and a fourth cents; every head of sheep and swine three cents: *Provided always*, That the said bridge shall in nowise injure, stop, or interrupt the navigation of the said river, or prevent any person or persons from fording the same: *And provided also*, That no toll shall be taken from any person or persons attending funerals, or to attend Divine worship, or walking in military procession, or from persons belonging to the militia in going to and returning from muster on days of training.

Penalty for demanding illegal tolls.

SECT. XI. *And be it further enacted by the authority aforesaid*, That if the said company, or their successors, shall collect or demand any greater rates or prices for the passing over the said bridge, than is herein before prescribed, or shall neglect to keep the said bridge in good repair, they shall, for every such offence, forfeit and pay thirty dollars, one half thereof for the use of the poor in the borough of Sunbury, in Northumberland county, or of the township of Penn, in Union county, to be applied alternately, 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 township of Penn, or the borough of Sunbury: *Provided*, That no suit shall be brought in this respect unless within thirty days after the offence committed: *And provided also*, That the judgment of the said justices, in any such case, brought before them, shall be liable to revision, either by appeal to the court of common pleas, if the merits of the case be contested, or by certiorari, if the legality of their proceedings or their jurisdiction be disputed.

Proviso.

Account of monies received by collectors.

SECT. XII. *And be it further enacted by the authority aforesaid*, That the president, managers and company, shall keep a just account of all monies received by their several collectors of tolls for crossing the said bridge, and shall declare and make a dividend of the income and profits thereof among all the subscribers 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 for a fund necessary to provide against the decay, the repairing, or the re-building of the said bridge; and shall, on every first Monday in May and November of every year, publish the dividend to be made of the clear profits arising from the tolls, among the stockholders, and of the time when and place where the same shall be paid, and shall cause the same to be paid accordingly.

Abstract of accounts to be laid before the legislature.

SECT. XIII. *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, showing 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 costs and charges of keeping the said bridge in repair, and all other contin-

gent 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 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 fifteen per cent. per annum, then the said tolls shall be reduced so as to reduce the said dividend to fifteen per cent. per annum.

Tolls may be increased.

SECT. XIV. *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 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.

Company to have no connection with banking.

SECT. XV. *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 the said bridge, or any toll house, gates, 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 or figures, or other characters, in any written or printed list of the rates of tolls affixed 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 thereof, he, she or they so offending, shall, and each of them, forfeit and pay, for every such offence, to said corporation, the sum of twenty dollars, to be recovered before any justice of the peace, as debts of like 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 said sum or sums herein mentioned be not sufficient to repair and satisfy said damages: *Provided always,* That no suit shall be brought, unless within thirty days after such offence shall have been committed.

Penalty for injuring any part of said bridge.

Proviso.

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 four years from the passing of this act, and shall not, within the space of ten 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 sin-

Legislature may resume all privileges. &c.

gular the rights and privileges hereby granted to the said company.

JACOB HÖLGATE, *Speaker of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER LXXIV.

An ACT to incorporate the Pennsylvania and New Jersey Steam Boat Company.

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 members of the association called and known by the name of "The President and Trustees of the Pennsylvania and New Jersey Steam Boat Company," and those persons who shall hereafter become members, according to the provisions of an act, passed by the state of New Jersey, entitled "An act to incorporate the Pennsylvania and New Jersey steam boat company," and by the said name shall have perpetual succession, and all the power, privileges and franchises incident to a corporation, and shall have like power and authority to establish a ferry in the district of Southwark, in the county of Philadelphia, for the purpose of conveying persons and property across the river Delaware, to Kaigh's Point, in the state of New Jersey, with as full and ample powers, privileges, franchises and emoluments, and subject also to such restrictions and penalties as are provided in the act of the state of New Jersey, entitled "An act to incorporate the Pennsylvania and New Jersey steam boat company," passed the eleventh day of February, one thousand eight hundred and fifteen; which act shall be, and have as full effect as if passed by the legislature of this commonwealth, and shall be annexed to and published with the laws of this commonwealth.*

Name of the company.

Powers of.

Jersey law to be annexed hereto.

JACOB HÖLGATE, *Speaker of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.