

executors thereof may be authorised to rectify the said mistake :

Therefore,

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 Luke M'Guire, executor of the last will and testament of Michael Murphy, late of Cambria county, deceased, be, and he is hereby authorised, by any sufficient deed or deeds, to release and convey to John Laney, in fee simple, the tract of land whereon he, the said John Laney, now lives, situated in Southampton township, Bedford county, containing one hundred and four acres and a quarter, and allowance, being part of a large tract called Armagh, containing three hundred and thirteen acres and one hundred and fifty-two perches and allowance, granted to said Michael Murphy, by patent dated the first of February, Anno Domini one thousand seven hundred and ninety-nine: Provided, That said Laney shall fully comply with the contract on his part, and shall release to the assignee or assignees of said Michael Murphy, deceased, all his, the said John Laney's, title and claim of and to a tract of one hundred acres of land or thereabouts, adjoining the afore described tract, and sold by said Michael Murphy in his lifetime to Leonard Nickum.*

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

ISAAC WEAVER,
Speaker of the Senate.

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

SIMON SNYDER.

CHAPTER CX.

AN ACT

To authorise a permanent bridge to be built over the Swatara from State street in the town of Portsmouth, in the county of Dauphin.

WHEREAS the proprietor of the town of Portsmouth, in the county of Dauphin, in disposing of the lots in the said town, reserved ten dollars on the original price of each lot, amounting in the whole to three thousand three hundred dollars, in the hands of the several purchasers, to be appropria-

ted to the building of a permanent bridge over the Swatara; from State street in the said town, the tolls whereof when completed, to be applied first to the improvement of the streets in the said town, and from and immediately after to the endowment of a public school in the said town for the education of poor children and others; but no adequate provision has yet been made for building the said bridge or collecting the said money:

Therefore,

Commissioners names.

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 Fisher, William Allison, Enoch Skeer, John Detwiler, John Swar and John Elliot are hereby authorised and empowered, jointly and severally, to demand, receive, sue for and recover from each and every of the purchasers of lots in the town of Portsmouth, the sum of ten dollars, and to appropriate the same to the building of the bridge across the Swatara from State street in the town of Portsmouth, in the county of Dauphin.

When licenses shall issue to collect toll.

Rates of toll.

SECT. 2. *And be it further enacted by the authority aforesaid,* That as soon as the said bridge is completed, and the Governor fully ascertained thereof, he shall, by license under his hand and the lesser seal of the Commonwealth, permit and suffer the said managers and their successors to erect a gate upon or near said bridge, and to collect the tolls hereinafter granted, from all persons passing over the same with horses, cattle, carts and carriages, or on foot, that is to say: For every coach, landau, phaeton, stage waggon or other pleasurable carriage with four wheels, drawn by four horses or mules, the sum of twenty-five cents, and for every such carriage drawn by two horses or mules the sum of eighteen cents, and for every such carriage drawn by one horse or mule the sum of twelve cents and a half; for every waggon drawn by four horses or mules the sum of eighteen cents, and for every carriage of the like description drawn by two horses or mules the sum of twelve cents and a half; for every chaise, riding chair, sulkey, cart or other two wheeled carriage, or sleigh or sled with two horses or mules, the sum of twelve and a half cents, and so in proportion if more horses or mules are added to the number herein mentioned; and for every such carriage drawn by one horse or mule, the sum of nine cents; and for all the above description of carriages drawn in whole or in part by oxen, two oxen shall be estimated equal to one horse; for a single horse or mule and rider, the sum of four cents; for every led horse or mule, the sum of two cents; for every foot passenger, the sum of one cent; for every head of horned cattle, the sum of one cent; for every sheep and swine the sum of half a cent: and if any toll gatherer that may be ap-

pointed, shall demand and receive a greater toll from any person or persons than he is authorised to demand and receive by virtue of this act, such toll gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to be recovered before any justice of the peace as debts of equal amount are by law recoverable, to be applied to the improvement of the streets in the said town of Portsmouth. A written or printed list of the tolls herein granted, shall be set up in some public place on or near the said bridge, for the information of passengers. *Provided*, That no toll shall be demanded or taken from any person or persons attending funerals or divine worship; from militia men going to and returning from muster on days of training; from persons going to and returning from school; or from persons attending general, special or township elections, but that they shall be allowed to pass and repass on those occasions free of toll.

Penalty for exacting illegal toll.

Proviso.

SECT. 3. *And be it further enacted by the authority aforesaid*, That in case the sum of three thousand three hundred dollars shall not be found sufficient to erect the said bridge, it shall and may be lawful for the said managers to create a fund in the nature of stock, not exceeding five thousand dollars, to be disposed of in shares not exceeding fifty dollars each, in such manner as they or a majority of them may deem best calculated to promote and facilitate the erection of said bridge; and when the same is completed it shall be vested in the said town of Portsmouth and the stockholders, in fee, in proportion to their several interests in the same; and the said town of Portsmouth and the said stockholders are hereby incorporated by the name, style and title of "The Portsmouth Bridge company," and as such shall have all the privileges and advantages incident to a corporation, as are given and granted by the second section of an act, entitled "An act to authorise the Governor to incorporate a company for erecting a permanent bridge over the river Susquehanna at or near Harrisburg, in the county of Dauphin."

An additional fund to be created.

Style of the company.

Privileges of

SECT. 4. *And be it further enacted by the authority aforesaid*, That the said managers shall have power to call on the stockholders to pay in the amount of their stock, in such proportions and when and as often as they, or a majority of them, shall deem necessary for carrying on and completing the said bridge; and if any of the said stockholders shall refuse or neglect, after thirty days notice to be published in three weekly newspapers, one thereof in the town of Lancaster, one other thereof in the town of Marietta, and the other thereof at Harrisburg, to pay such proportion at the time so appointed, and for the space of forty days thereafter, it shall and may be lawful for the said managers, or a majority of them, to forfeit the said stock, with all the monies paid thereon, for the benefit of the said company, or to sue for or recover the same, together with interest thereon at the rate of five per cent. per

How the stock shall be paid.

month, before any justice of the peace, as debts of the same amount are now recoverable in this Commonwealth.

When and how managers shall be chosen.

SECT. 5. *And be it further enacted by the authority aforesaid,* That on the first Monday of January after the said bridge is erected, and on the first Monday of January in every succeeding year, the resident inhabitants of the town of Portsmouth, who are lot holders in fee or for life, and the said stockholders, either in person or by proxy, on notice as aforesaid, shall meet at some public house in the said town of Portsmouth, and shall each choose, by ballot, two managers, who, with a president to be chosen by the said inhabitants aforesaid in manner aforesaid, and a treasurer by the stockholders in manner aforesaid, or a majority of them, shall conduct the affairs of the said company for one year and until other officers are chosen, and may make such by-laws, rules, orders and regulations, not inconsistent with the laws of the United States or of this Commonwealth, as shall be necessary for the well-ordering the affairs of the said company.

Of by-laws, &c.

Powers and duties of the managers.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the said managers, or a majority of them, shall, as soon as a sufficient fund is created, proceed to contract with a proper person or persons to build and erect a good and sufficient bridge of wood, iron or stone over the river Swatara at the town aforesaid, and shall keep fair accounts, in a book to be kept for that purpose, of all the monies received for and expended by them in building and completing the same, which shall at all times be open for the inspection of the inhabitants of the town of Portsmouth and the stockholders, and shall at the first stated meeting of their successors, finally settle and account with them for all the monies received and expended by them in building the said bridge, and pay over to the treasurer of the company all monies that may remain in their hands; and the said president and managers shall also keep a book or books in which they shall cause the treasurer of the said company to enter down and keep a fair account of all the tolls collected, and other monies received and expended during his continuance in office, and shall, in like manner, annually account with their successors in office.

Of dividends.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said president, managers and treasurer shall make and declare a dividend of the profits and income of the said bridge, amongst all the stockholders, in proportion to their respective stock held therein, first deducting therefrom all contingent costs and charges, and such proportion of the income as may be deemed necessary for a growing fund to provide against the decay and for the rebuilding of and repairing the said bridge, and shall, on the first Mondays in January and July of every year, publish the dividend to be made of the said clear profits thereof, and of the time and

place when and where the same shall be paid, and shall pay the same accordingly.

SECT. 8. *And be it further enacted by the authority aforesaid,* That that portion of the dividend or profits of the said bridge, which shall become due and payable to the said town of Portsmouth, shall, until otherwise directed by law, be paid into the hands of three respectable resident freeholders, to be elected by ballot on the first Monday in May annually, by a majority of the resident freeholders in the said town, and shall by them be appropriated, first to the paving and improving the streets of the said town, and from and immediately after to the endowment of a public school in the said town, for the education of poor children and others, and to no other use, intent or purpose whatever.

Certain dividend to be paid to the town of Portsmouth.

SECT. 9. *And be it further enacted by the authority aforesaid,* That if the said president, directors and company, or their successors, or any other person by their authority, shall collect or demand any greater rates or prices for passing over the said bridge, than what are herein before prescribed and specified, or shall neglect to keep the said bridge in good repair, on ten days notice given by or from any magistrate of the county of Dauphin, they so offending shall for every such offence forfeit and pay the sum of thirty dollars, one moiety thereof for the use of the poor, 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 within thirty days after such offence shall be committed: *Provided also,* That the judgment of the said justice, in any case brought before him, 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 his jurisdiction be disputed.

Penalty for demanding illegal tolls, &c.

SECT. 10. *And be it further enacted by the authority aforesaid,* That if the fund of three thousand three hundred dollars shall be found sufficient to erect the said bridge, then and in such case no additional fund shall be created, and the whole profits of the said bridge, and every provision herein contained, with all and every the corporate rights hereby granted, shall vest in the said town of Portsmouth, and be held and enjoyed by the freehold inhabitants thereof for ever, subject, nevertheless, to the use and appropriation contained in the eighth section of this act only, and to no other use, intent or purpose whatever.

Of additional fund.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the said company shall not have power to issue any note or notes in the nature of bank notes, or to make discounts or receive deposits after the manner of any bank or banks; and in case the said company should at any time hereafter act contrary to the provisions contained in

No power to issue notes granted.

this section, their chartered privileges shall be null and void.

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

ISAAC WEAVER,
Speaker of the Senate.

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

SIMON SNYDER.

CHAPTER CXI.

AN ACT

To authorise the Governor to appoint commissioners to explore the route of the intended canal for uniting the waters of the Seneca lake and Tioga river, in the state of New York.

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 Governor be, and he is hereby authorised and required to appoint two commissioners to view and examine the route of the contemplated canal to connect the waters of the Seneca lake and Tioga river, in the state of New York, for which a company has been incorporated by the name of "The Seneca and Susquehanna lock navigation company," and make report to him, to be laid before the next Legislature, of the practicability, importance and probable expense of making and completing the said canal, together with such other information as they may be able to obtain.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the said commissioners shall be entitled to receive, respectively, four dollars per day for their services and travelling expenses, together with such other reasonable expenses as they may be at in the performance of said duties, to be paid by the state treasurer on warrant drawn by the auditor general.

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

ISAAC WEAVER,
Speaker of the Senate.

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

SIMON SNYDER.