

hereby altered or supplied be, and the same is hereby repealed so far as respects this district, saving the right of collection of any taxes heretofore laid and uncollected, under any such act or acts. Repeal of former laws.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the sixth day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER LIII.

AN ACT

To incorporate the president, directors and company of "The Pennsylvania and New-Jersey communication 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 Pierce Butler, Robert Waln, William Meredith, Andrew Bayard, Charles Penrose, Edward Pennington, Edward Sharp, Caleb Newbold, Isaac Mickle, Samuel L. Howell, Samuel Harris and Henry Chew, or the survivors of them be, and they are hereby appointed commissioners to do and perform the several acts and duties hereinafter mentioned: That is to say, the said commissioners shall procure at least two books for the subscription of not exceeding twelve thousand shares of the capital stock, at fifty dollars for each share, and therein enter as follows:—"We whose names are hereunto subscribed, do promise to pay either to the commissioners, or to the president, directors and company of the Pennsylvania and New-Jersey communication company, at the time of subscribing, five dollars on each share of stock set opposite our respective names, and forty-five dollars on each share in such manner and proportions, and at such times as shall be determined by the said president, directors and company of the Pennsylvania and New-Jersey communication company."*

Stock of the company 12000 shares at \$ 50 each.

And the said commissioners shall thereupon give notice in two or more of the public newspapers printed in the city of Philadelphia, and in one or more of the public newspapers printed in Trenton, for at least ten days, of the times and places, when and where the said books shall be opened to receive subscriptions Notice for opening the books.

Manner and amount of subscription.

Books to be delivered to company.

for the stock of the said company, at which times and places one or more of the said commissioners shall attend, and it shall and may be lawful for any person, firm or body politic to subscribe for as many shares as he, she or they may think fit, not exceeding one thousand shares on any one day, and the said stock shall be deemed personal property, and shall be transferable according to the bye-laws of the company; and the said commissioners as soon as the corporation shall be organized in the manner hereinafter mentioned, shall pay and deliver over to the said company and their successors for the use of said company, all monies, books, papers and documents which they may receive, or have in their possession, deducting thereout the incidental expenses of obtaining such subscriptions.

When 6000 shares are subscribed patent may issue.

Style.

Privileges.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when six thousand or more shares of the said stock shall have been subscribed, the said commissioners or a majority of them, shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each, to the Governor of this State, who thereupon shall by letters patent under his hand and the seal of the State, create and erect the said subscribers (and if the said subscription be not full at the time, then also those who shall afterwards subscribe to the said stock) into one body politic and corporate, in deed and in law, by the name, style and title of "The president, directors and company of the Pennsylvania and New Jersey communication company," and by the said name, the said subscribers shall have perpetual succession, and the free enjoyment of 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 purchasing, taking and holding to them, and their successors and assigns in fee simple, or for any less estate, all such lands, tenements, hereditaments, estate real and personal, as shall be necessary or convenient for them in the prosecution of their works, and for attaining the object of this act, including any part of said island or sand bar, 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 in the premises; but nothing herein contained shall be so construed as to admit of transactions in the nature of banking operations, or other money operations varying from the purposes of this act.

Notice to organize the company.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the twelve persons first named in the said letters patent, or a majority of them, shall as soon as conveniently may be after sealing the same, give notice in at least two newspapers printed in Philadelphia, and one of the newspapers printed in Trenton of the time or times, and places by them to be appointed, not less than ten days from the issuing

of the first notice; at which time or times and places, the said subscribers shall proceed to organize the said corporation, and choose by a majority of votes by ballot to be delivered in person or by proxy duly authorised, sixteen directors out of the stockholders, of whom at least one third shall be ^{Directors} resident of each of the said states, to conduct the business of ^{may choose a} the company for one year, and until other officers shall be ^{president,} legally chosen; and the said directors shall choose a presi- ^{treasurer and} dent, treasurer and secretary, the two first from their num- ^{secretary.} ber; and they shall have power to make such bye-laws, rules, ^{Bye-laws.} orders and regulations not inconsistent with the laws of the United States or of this State, as may be necessary for the well ordering of the affairs of the said company: *Provided* ^{Proviso.} *always,* That at any election, or in determining any question arising at any election, the stockholders shall be entitled to votes as follows: for every share under ten shares, one vote, for every ten shares exceeding that number, three votes; and ^{Number of} that no person shall have more than one hundred votes at any ^{votes at an} election or meeting. ^{election.}

SECT. 4. *And be it further enacted by the authority aforesaid,* That the stockholders shall meet on the first Monday ^{Time of an-} in October in every succeeding year, as shall be fixed by the ^{annual election.} rules and orders of the said company to be made as aforesaid, for the purpose of choosing such officers for the ensuing year, and until others shall be legally chosen.

SECT. 5. *And be it further enacted by the authority aforesaid,* That at the meetings of the president and directors convened in such manner, and at such times and places as shall be agreed on for transacting their business, five members ^{Quorum.} shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being met, they shall have full power and authority to agree with, and appoint such superintendants and other agents as they shall think ^{Power to ap-} necessary to superintend the erection of the said bridge, fer- ^{point agents.} ries and other improvements, and to fix their salaries or wages, to ascertain the times, manner and proportions in which the stockholders shall pay the monies due on their respective shares, to draw orders on their treasurer for all monies, which orders shall be signed by the president, or in his absence by the chairman and countersigned by the secretary, and to do all such acts, matters and things as by the bye-laws, orders and regulations of the company shall be committed to them.

SECT. 6. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said president, directors and company to procure and issue to the stockholders certi- ^{Certificates} ficates of their stock, signed by the president and counter- ^{of stock.} signed by the treasurer, and sealed with the common seal of the company, which certificates shall be transferable on the books of the company, but if any stockholder after thirty days

notice in some one of the public newspapers printed at Philadelphia and at Trenton, respectively, of the time and place appointed for the payment of any proportion of the said capital stock, shall neglect to pay such proportion at the time and place appointed for the space of thirty days after the time so appointed, every such stockholder or his assignee, shall pay after the rate of five per centum per month for every delay of such payment, and in addition thereto the said stock shall be forfeited to the company, and may thereupon be sold by the said company for the account of such defaulter, to any person or persons willing to purchase the same for such price as can be obtained therefor, but such defaulter shall be answerable to the company for the balance.

Forfeiture upon neglect to pay.

Defaulter answerable for balance.

Width and mode of structure.

Proportion of piers to whole length of bridge.

Western abutment.

Boats and wharves to be built.

Boats permitted to land at the island.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said company are required to build, or cause to be built within six years from the date of this act, a good and permanent bridge to be at least thirty-six feet wide, with strong and sufficient railing on each side thereof, if not roofed, but if roofed, with foot ways at least five feet wide, either raised or railed off for the commodious passage of foot passengers, with stone or other piers, all of which shall not make one general average of its whole length, more obstruction to the current of the river than the average width of fifteen feet, for every one hundred and seventy-five feet in the length of the bridge, and which shall commence at New street, near Camden, on the New-Jersey shore, about three hundred feet south of Wild's ferry, and from thence direct to the island or sand-bar in the river Delaware, opposite the city of Philadelphia; the western abutment of the bridge shall not extend beyond low water mark, and the eastern abutment on the New-Jersey side of the river shall not extend beyond the line of the outer edge of the two extreme wharves, Kaighn's and Cooper's; they shall also cause to be built such boats, wharves and ferries, and roads along the island as may be proper and necessary for transporting and conveying along the same, and from thence to Philadelphia, all passengers, goods, wares and merchandises, and other articles usually transported or carried across the said river, and shall permit all boats, including ferry-boats of every description to go to said island with passengers or loading, and take the like therefrom at any time whatever, without other charges for the use of the wharves than the usual price paid for the like privilege in Philadelphia or Camden, and the tolls authorised by this section shall be proportionally lowered to passengers or loading conveyed as aforesaid that may pass the said bridge, and to do and perform all such other acts as may be necessary for carrying into effect the purposes of this act; and on their failing so to do, all the rights, authorities and privileges granted to them and their successors, shall forthwith cease and determine; and the said bridge shall for a distance of at least three hundred feet between the piers be

raised so high as to leave the space of twelve feet clear between the same and the usual high water-mark, for the passage of boats with struck masts; and if the said company shall complete or cause to be completed the erection of the said bridge as aforesaid, within the said period of six years, then they shall have authority to ask, demand, sue for, recover and receive the following charges or tolls from travellers and all other persons or commodities, passing or conveyed across the said bridge and ferries, or a proportional part for each, to be fixed by the company for either bridge or ferry, viz. Rates of tolls.

each passenger without baggage, six and a quarter cents; market people to be privileged to carry with them as many as six bushel baskets, or what is equivalent to them, of any articles of marketing not hereinafter rated for twelve and a half cents; a barrel to be rated equal to two baskets, and tubs, chests and scow baskets to be rated according to the number of bushels they hold, and for every bushel basket or what is equivalent to one, over six to pay one cent each; for a two horse load, fifty cents; a barrel of flour, plaster, salt, &c. twelve and a half cents; ditto containing any liquid, twelve and a half cents; a hogshead, thirty-seven and a half cents; Salt and plaster per bushel, three cents; grain, two cents; flour not in barrels, beef, pork, iron, &c. per hundred, four cents; coffee by the bag, six and a quarter cents; chests and large trunks each, six and a quarter cents; middle sized ditto, three cents; small ditto, two cents; candles, soap, glass, &c. by the box, three cents; lumber by the hundred, ten cents; live calves per head, six and a quarter cents; sheep, three cents; hogs, four cents; store cattle, twenty-five cents; fat ditto, thirty-seven and a half cents; horses, mules, &c. per head, eighteen and three quarters cents; man and horse, twenty-five cents; pleasure carriages and drivers with four horses, eighty-seven and a half cents; with two horses, fifty cents; with one horse, thirty-one and a quarter cents; stage with four horses, sixty-two and a half cents; with two horses, thirty-seven and a half cents. Market carriages, for every four wheel carriage and driver, going to and returning from market drawn by two horses, twenty-five cents; for every four wheel carriage drawn by one horse, twenty cents; for every two wheel ditto drawn by one horse, twenty cents; for every passenger with a carriage, except the driver, to pay six and a quarter cents; market carriages taking in merchandize on their return, to be charged as carriages of burden. *Carriages of burden*, for every carriage and driver drawn by one horse, loaded with articles not otherwise rated, thirty-one and a quarter cents; unloaded ditto, twenty cents; for every carriage and driver with two horses, loaded, forty-four cents; unloaded, twenty-five cents; ditto for carrying hay, straw, hemp, flax, charcoal and other bulky articles drawn by one horse, loaded, thirty-seven and a half cents; unloaded, twenty cents; ditto for two horses loaded, seventy-five cents; un-

loaded, twenty-five cents, additional horse each, eighteen and three quarter cents; bricks on carriages, to be rated at one dollar and twenty-five cents per thousand, including the passage of the empty carriage, and not more than five hundred to be admitted at one load on two wheels; oxen or mules in draught to be rated the same as horses, a load for each horse is calculated not to exceed half a ton; other goods, commodities and animals not herein enumerated to be charged in like proportion, with the privilege of charging double the above ferry rates from the tenth of December, to the tenth of March in each year; no cart, carriage or other vehicle to be admitted to pass which may be particularly injurious to the boats or bridge by reason of its great weight or extraordinary construction; all which rates are fixed with this special proviso, that market carts, waggons and wheel barrows, conveying marketing or other goods over the bridge, to or from the ferries, shall pass the bridge free: *Provided*, The persons marketing, and goods they convey shall pay to the company the regular charges herein assessed for crossing from shore to shore, and also that carriages of any kind, loaded, or partly loaded with ashes or manure only, not plaster of paris, to be rated as empty carriages: *Provided*, That it shall be the duty of the owner or owners of the said bridge to place and keep up in the most conspicuous place at each end thereof, in large letters and figures, a copy of the rates and tolls to be paid by this act, under the penalty of fifty dollars for every offence, to be recovered in the same manner as debts of the same amount are now recoverable by law.

Proviso.

2d Proviso.

SECT. 8. *And be it further enacted by the authority aforesaid*, That if the said company, their successors and assigns, and whosoever shall own or possess the said bridge, shall collect or demand any greater rates or prices for the passing over the said bridge and ferries, or a fixed proportion to either than what is herein before prescribed and specified, or shall neglect to keep the same in good repair, he, she or they so offending shall forfeit and pay the sum of twenty-five dollars for every such offence, 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: *And provided also*, That nothing herein contained shall be construed to prevent the said company from making agreements with any person or persons for quarterly or other periodical payments, in place of the tolls herein before specified.

Forfeiture for neglecting to keep bridge in repair.

Proviso.

2d Proviso.

SECT. 9. *And be it further enacted by the authority aforesaid*, That when the said tolls shall exceed twelve per cent. nett annual profit, the excess shall compose a contingent fund until it amounts to the sum of one hundred thousand dollars, which contingent fund shall be set apart for rebuilding the bridge, or repairing it in the event of any casualty, which may require repair beyond the appropriations for ordinary

Excess above 12 per cent. for a contingent fund.

wear and tear; and it shall be the duty of the said president and directors so soon as the tolls exceed the twelve per cent. aforesaid, and the said contingent fund shall amount to the said one hundred thousand dollars, to reduce the tolls in equal proportion until the nett profit thereof shall amount to no more than the said twelve per cent. Tolls to be reduced.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the said president and directors shall at the end of, or within every third year from the date of the incorporation, 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 said bridge for and during the said respective periods, together with an exact account of the 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. Abstract of the amount to be laid before the Legislature.

SECT. 11. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the president and directors to keep two watchmen on said bridge for the protection of passengers who may pass the same at night, and to cause to be placed thereon at the distance of every one hundred feet, which lamps shall be lighted every night in the year at twilight and be kept burning until the dawn of day, under the penalty of ten dollars for each and every time the same shall be omitted, recoverable in the way directed by law in the case of debts under one hundred dollars. Watchmen to be employed. Lamps. Fine for neglect, &c.

SECT. 12. *And be it further enacted by the authority aforesaid,* That whenever a representation is made to the Governor, by the mayor and two thirds of the select and common councils of the city of Philadelphia, by two thirds of the board of commissioners of the incorporated part of the township of the Northern Liberties and of the district of Southwark, and by two thirds of the board of wardens of the port of Philadelphia, setting forth upon oath or affirmation, that it is their united opinion and belief that the bridge aforesaid has created, or is creating a bar or bars in said river, injurious to the navigation thereof, or shall otherwise be injurious to the port of Philadelphia, it shall be the duty of the Governor immediately after receiving said representation to appoint five commissioners of competent qualifications to be under oath or affirmation, neither of whom shall reside in the city or county of Philadelphia, or own stock in said bridge company, who shall examine the channel of said river to ascertain whether any bar or bars are forming or formed to obstruct the same, and shall hear the parties complaining, and the president and directors of the said bridge on the subject; and on report of the said commissioners or a majority of them to the Governor, that a bar or bars are forming or formed, injurious to the navigation of the said river, or that Bridge proving injurious to the navigation may be removed.

Proviso.

the said bridge is injuring the port of Philadelphia, he shall then cause the said bridge and its piers, and abutments to be removed from the said river; and the cost and expense of removing the same shall be borne by the original subscribers to the stock thereof, or their heirs, successors and assigns: *Provided nevertheless*, That thirty days notice shall be given by the parties aforesaid to the president and directors of said bridge, *informing them of their intention to deliberate upon the propriety of making such a representation, and that they will at an appointed time and place hear any thing that the said president and directors may have to alledge by themselves, their counsel or witnesses, why the said representation should not be made to the Governor as aforesaid.*

Forfeiture
for driving
faster than a
walk.

Proviso.

Forfeiture
for injuring
bridge, &c.

SECT. 13. *And be it further enacted by the authority aforesaid*, That every person driving or riding over said bridge faster than a walk, shall forfeit and pay to the company for every such offence the sum of five dollars: *Provided*, Notice of this provision be printed in large letters and put up in a conspicuous place at each end of the bridge; and if any person or persons shall cut, injure or destroy any piece or pieces of timber, or any plank or planks belonging to, or being a part of the said bridge, or its abutments or appurtenant to the same, or the wharves connected therewith, or shall pull down, injure or remove any stone or stones or other materials belonging to the said bridge, wharves or abutments, or shall otherwise voluntarily damage the same or any part thereof, or shall in any way obstruct the passage of the said bridge or ferries, he, she or they shall forfeit and pay for every such offence the sum of fifty dollars, over and above the amount of damage done to the said bridge, abutments, materials or wharf, which sum shall be recovered in like manner as debts under one hundred dollars are recoverable: *Provided always*, That a suit or suits be instituted for the recovery of the penalties herein mentioned, within ninety days after the offence shall be committed.

2d Proviso.

Fair accounts
to be kept
and divi-
dends de-
clared twice
a year.

SECT. 14. *And be it further enacted by the authority aforesaid*, That the said president, directors and company shall keep fair and just accounts of all monies received by them from the said commissioners, and from the subscribers to the said stock, and of all penalties for the delay of payment as aforesaid, and all voluntary contributions, and also of all monies expended by them in the prosecution of the said work, and shall at least once a year exhibit the said accounts to a general meeting of the stockholders until the said bridge is completed, and the costs, charge and expense of the same fully paid; and after the said bridge shall become passable they shall keep fair and just accounts of all the monies received for crossing the said bridge and ferries, and shall at least twice in each year make and declare a dividend of the profits and income thereof, among all the holders of the stock of the said company, first deducting all contingent costs and

charges, except as before excepted, and nothing herein contained shall be so construed as to abridge the legal jurisdiction of the wardens of the port of Philadelphia. Jurisdiction of wardens not abridged.

SECT. 15. *And be it further enacted by the authority aforesaid,* That if at any time after the said bridge shall be erected, it shall appear to the Legislature for the time being, that the free navigation of the channel, or that part of the river over which the said bridge is erected, would be of greater utility to the city and port of Philadelphia, or to the good citizens of this Commonwealth generally, than the advantages derived from the said bridge, then said Legislature shall have power, and such power is hereby reserved to the same, to require the said bridge company to construct a draw or other device in the said bridge, in such a manner that all boats, ships or vessels wishing to navigate said channel, may pass and repass through the said bridge with the least possible delay. Legislature may require a draw to be constructed.

SECT. 16. *And be it further enacted by the authority aforesaid,* That if six thousand shares of the stock of the said company be not actually subscribed ~~as~~ aforesaid within two years from the passing of this act, then the powers and privileges hereby granted to the said company shall cease, and the subscribers shall have a right and power to call on the said commissioners for their proportionable share of the sums by them respectively paid, after deducting their proportions of the reasonable expenses that shall have been actually paid or incurred. 6000 shares to be subscribed within 2 years, or the powers cease.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the sixth day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY,

CHAPTER LIV.

AN ACT

To incorporate the Pittsburg Manufacturing Association.

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 all and every the persons who shall at the time of the passing of this act, be members of the Pittsburg manufac-