

the act above referred to and enacted, the said commissioners Relative to shall transmit copies of their oath of office, the award by the partition them made as is in said act directed, and the certificate of their of the estate. proceedings in making said allotment and partition, together with all the maps and field books made by them, as in said act required, to the clerk of the Orphans' Court for the county of Philadelphia, and also similar copies to the clerk of the Orphans' Court of the county of Bucks, to be by the said clerks filed and recorded in their said offices, respectively, and the said returns or the records thereof, shall at all times be good and sufficient evidence of the said partition.

LEWIS DEWART,
Speaker of the House of Representatives,
J. R. BURDEN,
Speaker of the Senate.

APPROVED—The eighth day of March, one thousand eight hundred and thirty-eight.

JOS. RITNER.

—••••—
No. 26.

An Act

To authorize the Governor to incorporate a company to erect a Bridge over the Juniata river, at M'Veytown, Mifflin county, and for other purposes.

SECTION 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 Wakefield, Andrew Bratton, David Hartzler, sen., James Criswell, Nicholas Miller, Thomas Fritz, Joshua King, Joseph Kiser, Charles Bratton, David Miller, Henry Wharton, Samuel Wharton, James Wharton, George Montgomery, Daniel Yoder, Christian Kauffman, John Hartzler, Hugh McGee, Abraham Kaufman, John Miller, James Bratton, sen., William McKinsty, Elisha Bratton, Robert Criswell, Jacob Kaufman, Christian Kaufman, William Harshberger, Daniel Harshberger, Richard Montgomery, Wm. Pright, James Langton, Christian Moist, George Hoffman, Henry Rhodes, Michael Youtzey, James Leatter, James McDonald, William Caldwell, J. and C. Yoder, Michael Criswell, William Brown, Augustine Wakefield, Jesse Thomas, Charles Brook,

Names of the
corporators.

Clement Brook, Samuel Troxal, Elijah Davies, John M. Barton, Edward Daugherty, James Cooper, John Walters, Abraham Rotterrock, R. Wooden, John A. Steel, William S. Wooden, Isaac Walls, Samuel Meyers, and George H. Galbraith, and such other persons as are or may be associated with them in subscribing stock for the purpose of erecting a bridge over the Juniata river, at or near McVeytown, in Mifflin county, shall be, and are hereby declared to be one body politic and corporate, in deed and in law, by the name, style and title of "The President and Managers of the McVeytown Bridge company," and by the same name shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of holding their capital stock already subscribed, for the purpose of erecting such bridge, and the increase and profits thereof, and of enlarging the capital stock 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 suing and of being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do, and the said capital stock shall be held in shares of twenty-five dollars each, and shall not exceed four hundred shares, unless enlarged as aforesaid.

Privileges
and franchises.

Capital stock

Letters patent.

Name, style and title.

Organization.

Annual election.

SECTION 2. It shall be lawful for the Governor, by letters patent, under his hand and seal of the state, to erect and create the subscribers into one body politic and corporate, in deed and in law, by the name, style and title of The President and Managers of the McVeytown Bridge company, so soon as the first seven named persons in the first section of this act, shall certify to him, under their hands and seals, that three thousand five hundred dollars, or more are, or have been subscribed by individuals or companies, for the purpose of erecting such bridge, making out a fair statement of the names of such individuals and companies, and the number of shares subscribed by each.

SECTION 3. The seven first named persons in the letters patent, as soon as conveniently may be, shall give notice in one newspaper printed in Mifflin county, of the time and place by them to be appointed, not less than twenty days from the date of the first 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 proxy, duly authorized, seven managers and one treasurer, to serve until the first Monday in November then next, and on the said first Monday of November in every year thereafter, the

said subscribers shall proceed to ballot as aforesaid, for seven managers and a treasurer, to serve for the term of one year, and until others are duly elected; that the said managers so elected and appointed, shall meet within thirty days from the date of said election, and elect one of their number president for the current year: *Provided*, That every stockholder shall be entitled to one vote for each and every share he, she, or they may hold, if the number shall not exceed five, and one vote for every two shares above five and not exceeding nine, and one vote for every five shares above nine until the number of votes amount to twelve, and that no person shall be entitled to more than twelve votes. Proviso.

SECTION 4. The said election shall be held by three judges and two clerks, to be chosen by a majority of the subscribers then present, who shall be sworn faithfully and impartially to conduct the same, and shall be held at such place as shall be fixed by the by-laws of said company. Ratio of votes.

SECTION 5. The said president and managers may make such by-laws, rules, orders and regulations, not inconsistent with the laws of this state or of the United States, as shall be necessary for the well ordering of the affairs of said corporation, and generally have all the powers, authorities and privileges, necessary for completing, maintaining, and keeping in repair the said bridge: *Provided*, That if the said company shall not proceed to erect and carry on said bridge within five years after the passage of this act, and within five years thereafter complete the same, or if said company shall proceed to issue any note or notes, of the nature of bank notes, or do any business of the nature of banking, it shall and may be lawful for the legislature to resume all and singular the liberties and privileges hereby granted to said company: *Provided further*, That the erection of such bridge shall not obstruct the navigation of said river, so as to endanger the passage of rafts, boats, or other water crafts. Manner of holding election, &c.

SECTION 6. When the said bridge is completed as aforesaid, the property of said bridge and its appendages, shall be vested in the said company as aforesaid, and their successors forever, and it shall and may be lawful for said company, and their successors, to erect a gate or gates, and such other buildings as they may deem necessary for the residence of a toll collector, and to demand and receive toll from travellers and others at said bridge, not exceeding the following rates, to wit: for every carriage of whatever description, used for the purpose of trade or agriculture, having four wheels, for each horse drawing the same ten cents; for every carriage having two wheels, for each horse drawing the same seven and a half cents; for every carriage of whatever description By-laws and rules.

Proviso.

2d Proviso.

Rates of toll.

used for the purpose of personal accommodation or pleasure, having four wheels, for each horse drawing the same fifteen cents; for every dearborn wagon drawn by one horse twelve and a half cents; for every chaise or other two wheeled carriage of pleasure, for each horse drawing the same twelve and a half cents; for every sleigh or sled, for each horse drawing the same ten cents; for every horse, mare or gelding, with or without a rider, six cents; for every carriage drawn by oxen, or partly by oxen and partly by horses, to be rated in proportion of two oxen for one horse, and in all cases a mule shall be rated as a horse; for every score of sheep or swine ten cents; for every head of cattle three cents; and in no case shall it be lawful for the owner or driver of any horse or cattle to lead or drive more than twelve head on the said bridge at the same time; and for every foot passenger three cents: *Provided*, That any persons attending funerals, any military company or detachment of this state or of the United States, persons attending divine service on the Sabbath day, all persons going to and returning from any election or military training authorized by the laws of this state, and students or children attending schools or other seminary of learning, shall at all times be exempt from the payment of any toll: *And provided further*, That if any person or persons shall wilfully ride, drive or lead any horse or other animal faster than a walk when crossing said bridge, he, she or they so offending, shall for every such offence forfeit and pay the sum of five dollars, to be recovered for the use of the company, as fines of like amount are by law recoverable.

Proviso

2d Proviso.

Manner of
estimating
value of
lands for use
of bridge.

SECTION 7. Before the president and managers of the company aforesaid, shall proceed to build said bridge, it shall and may be lawful for them to contract with the owner or owners of any land for the purchase of so much thereof as shall be necessary for the purposes of erecting and completing said bridge, and making all the necessary works and causeways to and from the same, if they can agree with said owner or owners, but in case they cannot agree, then it shall and may be lawful for the said president and managers to apply to the court of Common Pleas of Mifflin county, who upon such application, are hereby authorized and required to appoint two discreet and disinterested freeholders of this state, and also to call upon the owner or owners of said lands, whose duty it shall be to appoint one, who after being sworn or affirmed to perform the duties enjoined on them by this act, shall carefully proceed to view and examine the said lands as shall be necessary for the purpose of erecting and completing the said bridge, and making all the

necessary works and causeways to and from the same, and shall, according to the best of their skill and judgment, estimate the value of lands so necessary to be taken as aforesaid, and having estimated the advantages as well as the disadvantages which may be sustained by the owner or owners of such lands, shall make an appraisement thereof in writing, and the same shall return, together with a map describing the bounds of such land, to the said court of Common Pleas, and the said appraisement having been confirmed by the court, shall be filed in the office of the clerk of the court of Quarter Sessions, together with the said map, and the said president, managers and company, having paid to the owners, respectively, the several sums awarded to them, together with the costs of the appraisement, the said corporation shall be entitled to have and to hold, to them and their successors and assigns, the said lands, as fully as if they had been granted by their respective owners.

Title to be vested in Co. upon paym't. of sums awarded.

SECTION 8. If the said company, their successors and assigns, or whoever may possess or own said bridge, shall demand or receive any greater rates or prices for passing over the said bridge than is hereinbefore prescribed and specified, he, she or they so offending shall, for every such offence, forfeit and pay the sum of five dollars, one moiety thereof for the poor of the township of Oliver, the other moiety for the use of the person who may sue for the same: *Provido.* *Provided,* The same be sued for within twenty days from the time such offence shall have been committed.

Penalty for demanding illegal toll.

SECTION 9. If any stockholder, after twenty days notice given in one of the public newspapers printed in this county, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of thirty days after the time so appointed, every such stockholder or his assignee shall, in addition to the instalment so called for, pay at the rate of two per cent. per month for every month's delay of such payment, and may be sued for at any time after the expiration of the said thirty days, and shall be liable to be forfeited to the said company.

Penalty for neglecting to pay instalments.

SECTION 10. The president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business, and at such meetings four members shall be a quorum, who, in the absence of the president may choose a chairman, and shall keep minutes of all their transactions entered in a book, and a quorum being met, they shall have full power and authority to agree with and appoint such engineers, superintendents,

Meetings. Quorum. Minutes. Powers.

artists and other officers as they shall think necessary to carry on the said bridge, and to fix their salaries and other wages, to fix the times, manner 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 provided and labor done, and which shall be signed by the president and countersigned by their clerk, and to do and transact all other matters and things as by the by-laws, orders and regulations of the said company shall be committed to them.

Certificates
of stock.

SECTION 11. The president and managers shall procure printed certificates for all the shares of stock of said company, and shall deliver one such certificate, signed by the president, and countersigned by the treasurer, and sealed with the seal of the corporation, to each subscriber, for the share or shares held by him, on paying to the treasurer the amount of each share so held, which certificates shall be transferable at his pleasure in person or by attorney, in the presence of the president or treasurer, and the assignee holding such certificate, having first caused the assignment to be entered on the book of the company kept for that purpose, shall become a member of the corporation.

Of transfer.

Just & fair
acc'ts. to be
kept.

SECTION 12. The president and managers shall keep fair and just accounts of all monies received by them from the subscribers to said company, and of all penalties for delay in the payment of stock, the amount of profits on shares that may be forfeited, and of all tolls received for crossing said bridge, and also of all monies by them expended, and shall submit such accounts to the stockholders at their annual elections for managers.

Comm'rs. of
Mifflin Co.
to subscribe.
Proviso.

SECTION 13. The commissioners of the county of Mifflin, are hereby authorized to subscribe, on behalf of said county, to the stock of said company any sum not exceeding three thousand dollars: *Provided*, That the said county is not to be held accountable to said company towards the erecting and keeping said bridge in repair for any greater sum than the amount said commissioners may subscribe; and if at any time hereafter the county of Mifflin, the state of Pennsylvania, or any incorporated town in the state, shall think proper to purchase the said bridge, for the purpose of making it a free bridge, the said company shall be obliged to sell the said bridge for such sum as a jury of twelve disinterested men, appointed by the court of Common Pleas in the said county, may adjudge the same to be worth, estimating the tolls at six per cent. per annum on the costs of construction.

The bridge
may be pur-
chased for
the purpose
of making
it free.

SECTION 14. Daniel C. Guldin, Michael Hoffman, Jacob Windsor Seidel, John Plank, John Barnett, Martin Stitzler, James Haven Starr, jr. John Seiferd, N. Y. R. Hunter, William Dreibel-^{Commiss'rs.} bies, Samuel Step, William Merwine, Joshua Reber, Jacob D. Barnett, William Lewers, Michael K. Boyer, John Markel, John Kershner, Joseph Heffner, William Feader, Israel Derr, Daniel Bieber, Daniel Kutz, Nicholas Wagner, and Peter Miller, all of Berks county, be, and the same are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, that is to say: they shall, on or before the first Monday of August next, procure a book or books, and enter therein as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers and company authorized to erect a bridge over the river Schuylkill, at or near to Joshua and James Reber, for the use of the said company, the sum of twenty-five dollars for each share of stock set opposite to our respective names, in such manner and proportions, and in such times and places as shall be determined by the president and managers, in pursuance of an act of the general assembly of this commonwealth, authorizing the Governor to incorporate a company to build a bridge over the river Schuylkill, &c. Witness our hands, this ^{day of} one thousand eight hundred and [;] and shall thereupon give notice in two newspapers, in the said county, for one calendar month at least, of the time and places when and where such book or books shall be opened to receive subscriptions for the stock of the said company, at which times and places some one of the said commissioners shall attend, and shall keep open said book or books at least six hours in every day for three juridical days, if so many shall be necessary, and allow any person of the age of twenty-one years, to subscribe therein in his own name, or in the name or names of any other person or persons by whom he shall be authorized to do so, for any number of shares in the said stock, until one hundred and twenty shares shall be subscribed, when the books shall be closed, but if the whole number of shares should not be subscribed, the said commissioners may adjourn to such time and places as they shall think necessary, and give such further notice as they may think proper, and when the subscription shall amount to one hundred and twenty shares as aforesaid, the books shall be closed: *Provided always,* That every person offering to subscribe in the said book or books, in his own name or in the name of any other person, shall at the time of subscribing, pay to the attending commissioner or commissioners two dollars on every share so

subscribed, out of which money shall be defrayed the expenses attending the taking of such subscription, 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 thereof chosen, as is hereinafter directed: *Provided*, That the commissioners of the county of Berks, or a majority of them, may subscribe for any number of shares they may deem expedient: *And provided also*, That the county shall, at any time hereafter, have the right of buying out the company, by reimbursing to the stockholders such monies as, together with interest, they may have expended in the erection and completion of the said bridge.

2d Proviso.

3d Proviso.

Letters
patent.

Name, style
and title.

Privileges
& franchises

Organizat'n.

SECTION 15. When one hundred 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, and thereupon it shall and may be lawful for the Governor, by letters patent, under his hand and the seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, then also those who shall subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of the President, Managers and Company of the Windsor Haven Bridge, at or near Reber's tavern, and by the said name the subscribers shall have perpetual succession, and all the privileges and franchises incident to corporations, and shall be capable of holding their capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscription, in such manner and form as they shall think proper, if such enlargement be thought necessary to fulfil the intent and meaning of this act, and of purchasing, taking and holding, to them, their successors and assigns, and of selling, transferring and conveying, in fee simple or any less estates, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their work, and of suing and being sued, and doing all and every other matter and thing which a body politic or corporate may lawfully do.

SECTION 16. The three persons first named in the letters patent, as soon as conveniently may be after the sealing of the same, shall give notice, in two or more of the public newspapers in the county of Berks, of the time and place by them appointed, not less than thirty days from the time of issuing the first notice, at which time and place the subscribers shall

proceed to organize the said corporation, and shall by a majority of votes of said subscribers, by ballot, to be delivered in person or by proxy, duly authorized, one president, six managers and one treasurer, who shall serve until other officers shall be lawfully chosen as is hereinafter directed, and may make such rules, orders, regulations and by-laws, not inconsistent with the laws of this commonwealth, as shall be found necessary for the well ordering of the affairs of the said company, and generally to have all the powers, authorities and privileges necessary for erecting, maintaining and keeping in repair the said bridge.

SECTION 17. A public meeting of the stockholders shall be held annually, at such time and place as shall be fixed by the rules and by-laws of the said company, for the purpose of choosing officers for the ensuing year, and the transaction of such business as shall come before them: *Provided*, That no person shall have more than ten votes at any election, or in determining any question arising at such meeting, whatsoever number of shares he may be entitled to, and that every person shall be entitled to one vote under four shares, and for four shares two votes, and then for every four shares one to ten votes and no more.

SECTION 18. The president and managers shall procure certificates of stock in the said company, which shall be signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation; and each stockholder shall be entitled to a certificate for each share by him subscribed or held, on paying to the treasurer in part for the sum due thereon, five dollars on each share, which certificate 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 payment due or growing due thereon, and the person to whom such transfer shall be made, shall stand in the place of the former holder, and be entitled to the same privileges and liable to the same responsibilities to the company.

SECTION 19. The said president and managers shall meet at such time and place, and be convened in such manner as shall be prescribed by the by-laws, at which meeting five members shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions truly inserted in a book, and at any such meeting, a quorum being present, they shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers as they shall think necessary for the erection of said bridge, and to fix their salaries and wages, or at their discretion, make contracts for

the erection or construction of the same or any part thereof; they shall also determine the times, manner and proportion in which the stockholders shall pay the money due their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages and bills for work or materials, or on account of contracts, which orders shall be signed by the president, or in his absence by a majority of the quorum, and countersigned by the clerk; and also do and transact all matters and things as by this act or the by-laws of the said company shall be committed to them.

Penalty for neglecting to pay instalments. SECTION 20. If any stockholder after thirty days notice given in any two newspapers printed in said county, of the time and place appointed for the payment of any instalment of said capital stock, shall neglect to pay such instalment at the time appointed, every such stockholder or his assignee shall, in addition to the proportion so called for, pay at the rate of one per cent. per month for every delay of such payment, and if the same and the said additional payment shall remain unpaid for such a space of time that the accumulated penalties shall be equal to the sum before paid on account of such share, the same shall be forfeited to the company and may be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor, or the president and managers may sue for and recover the same before any justice of the peace, or before any court of competent jurisdiction.

Forfeiture.

No. of shares may be extended.

SECTION 21. Whenever it shall appear to the said president, managers and company, at any general or special meeting, that the said bridge cannot be completed without extending the number of shares, they shall be extended, under the direction of such meeting, so far as may be necessary to complete said bridge, which additional shares shall be sold by the president and managers, and shall entitle the holder to the same rights and privileges as those originally subscribed.

Mode of estimating value of lands for use of bridge.

SECTION 22 Before the president and managers of the company aforesaid shall proceed to build said bridge, it shall and may be lawful for them to contract with the owner or owners of any land, for the purchase of so much thereof as shall be necessary for the purposes of erecting and completing said bridge, and making all the necessary works and causeways to and from the same, if they can agree with said owner or owners, but in case they cannot agree, then it shall and may be lawful for the said president and managers to apply to the court of Common Pleas of Berks county, who upon such application, are hereby authorized and required to appoint two discreet and disinterested freeholders of this

state, and also to call upon the owner or owners of said lands, whose duty it shall be to appoint one, who after being duly sworn or affirmed to perform the duties enjoined on them by this act, shall carefully proceed to view and examine the said lands as shall be necessary for the purpose of erecting and completing the said bridge, and making all the necessary works and causeways to and from the same, and shall, according to the best of their skill and judgment, estimate the value of lands so necessary to be taken as aforesaid, and having estimated the advantages, as well as the disadvantages which may be sustained by the owner or owners of such lands, shall make an appraisement thereof in writing, and the same shall return, together with a map describing the bounds of such land, to the said court of Common Pleas, and the said appraisement having been confirmed by the court, shall be filed in the office of the Clerk of the court of Quarter Sessions, together with the said map; and the said president, managers and company, having paid to the said owners respectively, the several sums awarded to be paid to them, together with the costs of the appraisement, the said corporation shall be entitled to have and to hold, to them, and to their successors and assigns, the said lands, as fully as if they had been granted by their respective owners.

Title to vest
in Co. upon
payment of
sums awarded
for lands,
&c.

SECTION 23. When a safe passage may be had across the said bridge, the property shall be vested in the said company, their successors and their assigns forever, and the said company and assigns are hereby empowered to erect gates and demand and receive toll, not exceeding the following rates, to wit: for every score of sheep five cents; for every score of hogs eight cents; for every score of cattle fifteen cents; and so for a greater or less number; for every horse or mule two cents; for every horse and rider five cents; for every foot passenger one cent; for every sulkey, chair or chaise, with one horse and two wheels, ten cents; for every chariot, coach, phaeton or chaise, with two horses and four wheels, fifteen cents; for the aforesaid carriages, with four horses, twenty cents; and for every other carriage of pleasure, under whatever name, the like sum, according to the number of horses drawing the same; for every stage wagon with two horses ten cents; for every such wagon drawn by four horses twenty cents; for every sleigh, five cents for every horse drawing the same; for every sled, five cents for each horse drawing the same; for every wagon or cart, five cents for each horse drawing the same; and two oxen shall be estimated equal to one horse: *Provided*, That the said bridge shall be so constructed as to admit any load not exceeding four tons, and drawn by not more than six horses

Rates of toll.

Proviso.

or oxen, at all times to cross it, the said president and managers, however, to have the power to increase the rate of toll to be demanded for any carriage of burden crossing the said bridge, laden with more than four tons, to an amount not exceeding treble the above rates: *And provided also*, No toll shall be demanded from any person attending funerals, churches or school, or going to or returning from any militia training.

2d Proviso.

Penalty for demanding illegal toll.

SECTION 24. If the said company, or their successors, any person or persons by their authority, shall collect or demand any greater toll for passing over said bridge than what is hereinbefore prescribed and specified, or shall neglect to keep the same in good repair, or to keep a list of the rates of toll placed near the bridge, on ten days notice given by a justice of the peace of the said county, they so offending shall, for every offence, forfeit and pay the sum of five dollars, to be recoverable as debts of the same amount are by law recoverable, one moiety thereof to go to the use of the poor of the county, and the other moiety to the use of the person who shall sue for the same, but no suit shall be brought unless commenced within thirty days after the offence shall have been committed.

Just and true accounts to be kept.

SECTION 25. The said president and managers shall keep a just and true account of all the monies received as toll for crossing the said bridge otherwise, and shall make and declare a dividend of the profits and income, after deducting costs, expenses and charges, and shall, on the first Monday of January in every year, publish the dividend to be made of the clear profits thereof amongst the stockholders, and of the time and place when and where the same shall be paid; and shall cause it to be paid accordingly: *Provided*, That it shall be lawful for the said president and managers, in making and declaring any dividend, to reserve such sum or proportion of the clear yearly income, not exceeding two per cent. on the capital stock, as they may think proper, to form a contingent fund, for the purpose of repairing and rebuilding said bridge in case of decay or injury, and the same to invest on such security or in such stock as they shall deem safe and productive, and the interest arising from the same again to invest, and the same stock to sell or transfer at any time when the funds may be required for the purpose aforesaid.

Proviso.

Dividends.

Collectors, &c. to be sworn or affirmed.

SECTION 26. It shall be lawful for the president and managers aforesaid, to cause the toll collector or collectors, and watchman or men of said bridge, to take and subscribe an oath or affirmation, before a justice of the peace of said county, that he or they will faithfully conduct him or

themselves in his or their respective stations, and honestly account to the treasurer of the company for all the money collected by him or them, and diligently to attend to the discharge of his or their duty, by watching with vigilance over the interest of the company and safety of the bridge, and generally to execute with care and fidelity whatever lawful engagements he or they may enter into with the president and managers of said company.

SECTION 27. If any person or persons shall wilfully pull down, break, injure or destroy any part or parts of said bridge, or of any toll house, gates, bars or any other property of the said corporation, appertaining to, or erected for the use and convenience of said bridge, or of the person employed in attending to the same, or shall wilfully, without the consent or order of said corporation, deface or destroy any list of the rates of toll affixed in any place or places for the information of passengers and others, or who shall wilfully or 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 each and every such offence to said corporation, the sum of ten dollars, to be recovered before a justice of the peace as debts of a like amount are recoverable, and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatever over said bridge, except in a lantern, or in some vessel secured so that the possibility of setting fire to said bridge shall be fully prevented, or who shall discharge any pistol, gun, or other fire arms, on or near said bridge, so that the said bridge might by possibility be set on fire or injured thereby, he or she so offending shall forfeit and pay to the said corporation the sum of five dollars for every such offence, to be recovered as aforesaid, but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after such offence shall have been committed, and he 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 the said bridge shall not be erected at any place so as to do any damage or injury, or in any manner to obstruct the Schuylkill Navigation company in their works.

Penalty for
injuring or
destroying
Co's. works,
&c.

Proviso.

SECTION 28. If the said company shall not proceed to carry on the said work within three years after they shall have been incorporated, or shall not, within the space of four years thereafter, complete the said bridge, it shall be lawful for the legislature of this commonwealth to

Time for
commencing
and comple-
ting work.

Proviso. resume all and singular the rights, liberties and privileges hereby granted to the said company: *Provided also*, That the president and managers shall annually, in the month of January, publish in one or more newspapers printed in the county of Berks, a full account of the cost of building and repairing said bridge, and the amount of toll received.

Certain acts incorporating a Co. to build a bridge over Susquehanna in Bradford Co. extended SECTION 29. The act with its supplements, incorporating a company to build a bridge over the northeast branch of the Susquehanna river, at or near the village of Athens, in Bradford county, passed the seventeenth day of April, eighteen hundred and twenty-seven, be and the same is hereby extended for five years after the passage of this act.

Warren Bridge Co., Letters patent. SECTION 30. That whenever one hundred shares shall have been subscribed to the Warren Bridge company, and one dollar on each share paid, it shall be lawful for the Governor, by letters patent, under his hand and seal of the state, to erect the subscribers into one body politic and corporate, in deed and in law, by the name, style and title of The President and Managers of the Warren Bridge company, so soon as a majority of the commissioners named in the act incorporating said bridge company, shall certify that the said sum on each share has been paid by the subscribers.

LEWIS DEWART,

Speaker of the House of Representatives,
J. R. BURDEN,

Speaker of the Senate.

APPROVED—The thirteenth day of March, one thousand eight hundred and thirty-eight.

JOS. RITNER.

No. 27.

An Act

To authorize the Governor to incorporate a company to erect a Bridge over the Allegheny river, at or near Sharpsburg, in Allegheny county.

Comm'rs. SECTION 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 James Ross, jr., Philip Miller, James Stewart, James Sharp, William Croghan, P. A. Beham, James Campbell, John Stark, Peter Klingensmith, Harrison Parry, Francis Karns, David Boyd, Robert Wilson,