

pany to the amount of the balance unpaid on the stock held by him or them respectively.

WM. HOPKINS,

Speaker of the House of Representatives.

S. M. BARCLAY,

Speaker of the Senate, pro tempore.

APPROVED—The twenty-sixth day of February, one thousand eight hundred and thirty-nine.

DAVID R. PORTER.

No. 14.

A N A C T

To incorporate the Royer's Ford Bridge company over the river Schuylkill, at said ford.

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 for the purpose of erecting a bridge over the river Schuylkill, at or near Royer's ford, Francis Hobson, John Dismant, Samuel Custer, Frederick Bergstresser, Henry Garber, John Longaker, James Miller, John Patterson, of Montgomery county, Frederick Heckel, Michael Towers, John Kalb, Frederick Yost, James Rogers, of Chester county, 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 July 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, to erect a bridge over the river Schuylkill, at Royer's ford, for the use of the said company, the sum of fifty dollars for each share of stock set opposite our names respectively, in such manner and proportions, and at such times and places as shall be determined by the president and managers, in pursuance of an act of general assembly of this commonwealth, entitled an act authorizing the governor to incorporate a company to build a bridge over the river Schuylkill, at Royer's ford. Witness our hands this

Com'ners

To procure books

Form of subscription

of . . .

one thousand eight hundred and thirty- ,” and shall thereupon give notice in two newspapers in each of the aforesaid counties, 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 said company, at which time and places some one or more of the said commissioners shall attend, and shall keep open said book or books, at least six hours in every day, for three judicial days, if so many shall be necessary, and allow any one of the age of twenty-one years to subscribe therein, in his own name or names of any other person or persons by whom he shall be authorized to do so, for any number of shares in said stock, until one hundred and ninety 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 shall think proper. And when the subscription shall amount to one hundred and ninety shares as aforesaid, the book shall be closed: *Provided always*, That every person offering to subscribe in 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, five 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 hereinafter directed.

SECTION 2. When fifty 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 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 Royer’s ford bridge,” and by the said name the subscribers shall have perpetual succession, 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 subscriptions, 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 and holding to them and their successors and assigns, and of selling, transferring and conveying in fee

Who may subscribe

No of shares

Proviso

Letters patent

Name and style

Privileges

simple or any less estate, all such lands, tenements, hereditaments and estates 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 thing which a body politic or corporate may lawfully do : *Provided* that in erecting a bridge at or near Royer's ford, the said ford shall be kept open for crossing, or some other place be provided till said bridge be completed. *And be it further provided*, That Samuel Custer have privilege to open from the road, at or near said bridge, a road to the river to get to the island, but for no other purpose as a ferry or crossing place. Provide
2nd Provide

SECTION 3. The first five persons named in the letters patent, as soon as conveniently can be, after the secretary of the same shall give notice in two or more of the public papers in the counties of Montgomery and Chester, of a 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 present, by a ballot to be delivered in person or by proxy, duly authorized, one president, six managers, one treasurer, who shall serve until other officers shall be lawfully chosen, as 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 said company, and generally to have all the powers, authorities and privileges necessary for erecting, maintaining and keeping in repair the said bridge. Election of officers

SECTION 4. A public meeting of the stockholders shall be held annually, at such time and places 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 any meeting whatsoever number of shares he may be entitled to, and that every person shall be entitled to one vote for every share under four shares, and one vote for every two shares under ten shares and over four, and one vote for every five shares over ten, to ten votes and no more. Ratio of votes

SECTION 5. 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, by 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 Certificates of stock to issue on certain conditions

May be transferred 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 the 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.

Duties of president and managers, and their power and authority

SECTION 6. 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 a majority shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of all their proceedings and 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 on 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 to do all matters and things as by this or the by-laws of the said company shall be committed to them.

Salaries and wages of artists, &c

Orders to be drawn on the treasurer

Penalty for neglect to pay instalments

SECTION 7. If any stockholder, after thirty days notice given in two newspapers in each of said counties 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.

SECTION 8. 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 extend-

ing 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.

Power to extend the number of shares

SECTION 9. When a safe passage may be had across said bridge, the property shall be vested in the said company, their successors and their assigns for ever, and the said company and assigns are hereby empowered to erect gates, and to demand and receive toll, not exceeding the following rates, to wit: For every score of sheep, six cents; for every score of hogs, ten cents; for every score of cattle, twenty-five cents, and so for a greater or less number; for every horse or mule, three cents; for every horse and rider, four cents; for every foot passenger, one cent; for every sulky, chair or chaise, with one horse and two wheels, ten cents; for chariot, coach; phaeton or chaise, with two horses and four wheels, fifteen cents; for the aforesaid carriages, with four horses, twenty cents; and every other carriage of pleasure, under whatever name, the like sum, according to the number of horses drawing the same; for every wagon for burden and agricultural use for one horse, five cents; for every wagon drawn by 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 not drawn by more than six horses 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 said bridge, laden with more than four tons, to an amount not exceeding treble the above rates and grade, the rate of horses drawing the same: *And provided also*, No toll shall be demanded from any person attending funerals, divine worship, schools, or going to or returning from any militia trainings, and persons going to and from elections.

When gates may be erected and tolls received

Prov. so

2nd proviso

SECTION 10. If the said company, or their successors, or any person or persons by their authority, shall collect or demand any greater toll for passing over said bridge than what is herein 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 counties, they so offending shall for every offence, forfeit and pay the sum of five dollars to be recoverable as debts of the same amounts are by law re-

Penalty for neglect of duty

Forfeiture

**How recover-
table.** coverable, one moiety thereof to the use of the poor of the county where recovered, 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.

**To keep true
accounts** **SECTION 11.** The said president and managers shall keep a just and true account of all the moneys received as toll for crossing the said bridge or 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 is to 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. of the capital stock as they may think proper to form a contingent fund for the purpose of repairing and rebuilding the said bridge in case of a 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.

Dividend

Proviso

**Contingent
fund, invest-
ment of**

**Toll collectors
and watch-
man to be
sworn** **SECTION 12.** 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 counties, 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 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.

**Penalty for
injuring
bridge, &c** **SECTION 13.** If any person or persons shall wilfully pull down, break, injure, or destroy any part or parts of said bridge, or 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 for the purpose of attending to the same, or shall wilfully, without the consent or order of the 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

**Defacing and
impeding pas-
sage**

on or over 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 the 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 whatsoever over said bridge, except in a lantern, or in some vessel secured, so that the probability of setting fire to said bridge shall be fully prevented, or who shall discharge any pistol or gun or any fire arms on or near the said bridge, so that the said bridge might by possibility be set on fire or injured by said cause, 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 it shall be known who committed said offence, and he or they so offending, shall remain liable to actions at the suit of said corporation for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damages.

SECTION 14. 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 and may be lawful for the legislature of this commonwealth to 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 each of the aforesaid counties, a full account of the cost of building and repairing said bridge and the amount of toll received.

SECTION 15. If at any time hereafter the counties of Montgomery and Chester, or either of them, 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 majority of twelve disinterested men appointed by the court of common pleas in either of the above mentioned counties may adjudge the same to be worth.

WM. HOPKINS.

Speaker of the House of Representatives.

S. M. BARCLAY,

Speaker of the Senate, pro tem.

APPROVED—The twenty-seventh day of February, Anno Domini, one thousand eight hundred and thirty-nine.

DAVID R. PORTER.