

Rate of interest ing five per cent. per annum, payable half yearly, and to be reimbursed at any time after the first day of July, one thousand eight hundred and sixty-four, and he shall issue negotiable certificates of stock for the same, transferrable on the books of the auditor general, or at the Bank of Pennsylvania, by the owner or owners of the same, and upon such transfer new certificates shall be issued by the auditor general and state treasurer, or by the president and cashier of said bank to the new holder or holders, and the interest on said stock shall be paid at the state treasury, or at the Bank of Pennsylvania, at Philadelphia. *Provided*, that one half of the sum so authorized to be subscribed shall be expended by the said company in completing the road eastwardly from the point where it intersects the national road in the state of Maryland.

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No 52.

AN ACT

To authorize the erection of Free Bridges, over the river Schuylkill, at or near Philadelphia.

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 it shall be lawful for the commissioners of the county of Philadelphia, and they are hereby

When county commissioners to erect bridge over Schuylkill at Mulberry st. required as soon as practicable, after one third of the estimated cost of erecting a bridge over the river Schuylkill, at Mulberry street, in the city and county of Philadelphia, and of purchasing a site for the same, shall have been subscribed and paid into the county treasury, by individuals or corporations, to erect or cause to be erected, over the said river, at Mulberry street, as aforesaid, a good and substantial bridge with a draw of sufficient width to allow the free passage of vessels navigating the said river, and to defray the balance of

the cost of said bridge, and of the site for the same, out of any moneys in the county treasury, not otherwise appropriated. And in case a subscription shall be offered in land for a site for the said bridge, it shall be the duty of the court of quarter sessions of the city and county of Philadelphia, to appoint three disinterested persons to view and value the land so offered in subscription for the site of the said bridge, and upon a report of the said viewers, under oath or affirmation, of the value of the said land, so offered as a site for the said bridge, the amount of such valuation shall be entered by the said commissioners, as a subscription towards the one-third part of the estimated cost of erecting said bridge, and procuring a site for the same, and the person or persons or corporations, so subscribing the said site in land, shall bind themselves to make a good and perfect conveyance of the same, in fee simple, to the mayor, aldermen and citizens of Philadelphia, and shall also make such conveyance before the erection of said bridge shall be commenced. The said bridge shall be constructed upon piers, abutments and land piers or arches, as to afford at all times a clear and uninterrupted passage for the water of the river Schuylkill, equal at least, in area to that now existing at the permanent bridge, over the river Schuylkill, at High street. And the said bridge when erected, shall at all times, be a free bridge, and no toll shall be charged for passing the same, and shall belong to, and be lighted, watched, superintended, kept in repair, and from time to time, be altered, remodelled or renewed, if necessary, at the proper cost and charges of the mayor, aldermen and citizens of Philadelphia, who shall also have power to make such rules and regulations for the use of the same, by the public, as may be necessary for the preservation of the said bridge, not preventing the free passage thereof by the public.

**SECTION 2.** That it shall be lawful for the commissioners of the county of Philadelphia, and they are hereby required as soon as practicable, after one-third of the estimated cost of erecting a bridge over the river Schuylkill, at or near Callowhill street, in the county of Philadelphia, and of purchasing a site for the same, shall have been subscribed and paid into the county treasury, by individuals or corporations, to erect or cause to be erected, a good and substantial bridge over the river Schuylkill, at or near Callowhill street, aforesaid, and to defray the balance of the cost of erecting said bridge, and of the site for the same, out of any moneys in the county treasury, not otherwise appropriated. And in case a subscription shall be offered in land, for a site for the said bridge, it shall be the duty of the court of quarter sessions for the city and county of Philadelphia, to appoint three disinterested persons to view and value the land, so offered in subscription

How cost to be paid

Site Value of how ascertained

Conveyance of and to whom

How bridge to be constructed

To be free

How lighted and repaired

Rules

When bridge over Schuylkill at Callowhill street to be erected

How cost to be paid

Site	for the site of said bridge, and upon a report of the said viewers, under oath or affirmation of the value of the said land so
Value of how ascertained	offered for as a site for the said bridge, the amount of such valuation shall be entered by the said commissioners, as a subscription towards the one-third part of the estimated cost of erecting said bridge and procuring a site for the same, and the person or persons or corporation, so subscribing the said site in land, shall bind themselves to make a good and perfect conveyance of the same, in fee simple to the commissioners of the district of Spring Garden, and shall also make such conveyance before the erection of such bridge shall be commenced.
Conveyance of and to whom	
How bridge to be constructed	The said bridge shall be so constructed upon piers, abutments and land piers or arches, as to afford at all times a clear and uninterrupted passage for the water of the river Schuylkill, equal at least in area to that afforded by the late Fairmount bridge. And the said bridge when erected, shall at all times be a free bridge, and no tolls shall be charged for passing the same, and shall belong to, and be lighted, watched, superintended, kept in repair, and from time to time, be altered, remodelled or renewed if necessary, at the proper cost and charges of the commissioners of the district of Spring Garden, who shall also have power to make such rules and regulations for the use of the same by the public, as may be necessary for the preservation of the said bridge, and not preventing the free passage thereof by the public.
To be free	
How lighted and repaired	
Rules	
Consent to be obtained	SECTION 3. The consent of the owners of grounds required for the abutments of said bridges or either of them, equal at least in width to the respective streets at which they are to be erected, shall be first obtained, if not a part of a public street or highway, before the erection of such bridges, or either of them shall be commenced.
Proposals for building	SECTION 4. That the county commissioners aforesaid, shall advertise in two or more daily papers, published in the city of Philadelphia, for three successive weeks, inviting sealed proposals for building such bridge or bridges, agreeably to specifications to be provided by said commissioners, which said sealed proposals shall be opened in the presence of, and submitted to the county board, and no contract for building such bridge or bridges as aforesaid, shall be made and entered into by said commissioners, without the consent in writing for that purpose, first had and obtained by them from a majority of the whole number of members composing said county board.
Contracts	
County commissioners to purchase High street bridge	SECTION 5. The said county commissioners are hereby authorized and directed to purchase from the president, directors and company, for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, the bridge belonging to said company, erected over said river at

High street, and the site on which the same is erected as purchased from the mayor, aldermen and citizens of Philadelphia, by deed, dated the twenty-eighth day of March one thousand eight hundred, and recorded at Philadelphia, in deed book E F, number two, page one hundred and seven &c. together with all the rights and privileges conveyed to them by the said deed, the said site and bridge being included within the north and south lines of High street, as laid out on the east and west sides of the said river, together with the rights, privileges and property thereof, for the sum of eighty thousand dollars, at least one-third part of which sum shall first be subscribed and paid or secured to be paid into the county treasury, towards and for the purpose of said purchase. And upon the payment of the said purchase money, the said company shall make and execute to the said mayor, aldermen and citizens of Philadelphia, good and sufficient conveyances for the said bridge and the site, properties and privileges thereof as aforesaid, subject nevertheless to the right of the said company to receive tolls at the present rates, until the nett amount thereof added to the sum of eighty thousand dollars as aforesaid, shall in the whole, make the sum of one hundred and ten thousand dollars, in full compensation for their bridge, and the site, property and privileges thereof; but in no event shall tolls be taken by the said company for a longer term than one year after the execution of the said conveyances. And in order to ascertain the period at which they shall have been so fully compensated as aforesaid, the said company shall render monthly unto the treasurer and auditors, of the county of Philadelphia, a statement under the oath or affirmation of the treasurer of the said company, of the amount of their receipts from, and expenditures on account of the said bridge and its appurtenances. And from and after the execution of the conveyances as aforesaid, it shall not be lawful, and the said company are hereby forbidden to increase the salary or perquisites of any officer or other person employed by them or to expend any money, other than such as may become necessary for the security of the said bridge. And in case individuals or corporations, shall at any time previously to the receipt by the said company, of the amount of tolls which they are hereby authorized to collect, pay or cause to be paid to the said company the whole, or any part of the said sum which may at any time be necessary to complete the compensation for the said bridge, and the site, property and privileges thereof as aforesaid, or upon the receipt of such sum from tolls then and thenceforth, the right of the said company, shall immediately cease and determine, and the said bridge and the site and property thereof, shall be absolutely vested in the mayor, aldermen and citizens of Philadelphia, and the said bridge shall be by them

For

\$80,000

How to be paid

Conveyance

Toll when collection of to cease

Statement of receipts and expenditures to be furnish'd

Salaries not to be increased

Expenditures regulated

How time for taking toll may be reduced

kept and continued passable, free from toll and be kept in repair, lighted, watched and superintended, and from time to time, altered remodelled or renewed if necessary, at the proper charge and cost of the said mayor, aldermen and citizens of Philadelphia, and under such rules and regulations, as they may deem necessary for the preservation and security of the said bridge. But no purchase shall be made as aforesaid, unless the said president, directors and company, shall on or before the first day of may, Anno Domini, eighteen hundred and thirty-nine, give notice in writing under their corporate seal, to the said county commissioners, that they will sell and convey the said bridge and the site, property and privileges thereof as aforesaid, upon the terms and for the purposes herein mentioned, nor shall any such purchase be binding on the said county commissioners, unless the said president, directors and company, shall upon the payment of the said sum of eighty thousand dollars, make a good and perfect conveyance for the said bridge and the site, property and privileges thereof as aforesaid, within ninety days from the passage of this act, or within ten days after they shall have been notified in writing by the said county commissioners, previously to the expiration of the said ninety days, that they are prepared to carry into effect and execute any contract or agreement, if any such shall have been made, on or before the first day of May, as aforesaid, relating to or growing out of their authority to make the said purchase. And in case the said county commissioners shall purchase as and on the terms herein provided, from the said president, directors and company, their bridge and the site, property and privileges thereof, as aforesaid, and obtain good and perfect conveyances therefor, to the mayor, aldermen and citizens of Philadelphia, then the authority given to the said county commissioners, by the first section of this act, to erect or cause to be erected, a bridge at Mulberry street, in the city and county of Philadelphia, shall be and the same hereby is revoked and annulled.

**SECTION 6.** From and after the sale and conveyance by the said president, directors and company of the bridge and the site, privileges and property thereof, as hereinbefore mentioned, it shall be lawful for the said president, directors and company for erecting a permanent bridge over the river Schuylkill at or near the city of Philadelphia, to sell, convey, and good titles therefor to execute, to any person or persons whatsoever, all and every the property and estate of the said company, real or personal, other than that hereinbefore mentioned and authorized to be sold to the said county commissioners, and conveyed to the mayor, aldermen and citizens of Philadelphia, as described in the fifth section of this act, and all the right, title and interest of the common-

**To be lighted and repaired**

**Rules**

**Bridge company to give notice that they will sell**

**Time of executing conveyance**

**If commissioners purchase—their authority to erect bridge at Mulberry street revoked**

**When bridge company may sell other property**

wealth of, in and to the whole or any part of the said estate, is hereby released, and the title thereof confirmed to the said president, directors and company: *Provided*, That upon the completion of the contract and conveyances of the bridge, and its appurtenances aforesaid, the rights, privileges and immunities of the said corporation shall cease and determine, except so far as they shall be essential for the sale or conveyance of their property and real estate and the distribution of the proceeds thereof to the stock holders. *Provided further*, That nothing in the above provision shall be so construed as to prevent the said bridge company from collecting and receiving tolls, according to the provisions of the fifth section of this act.

SECTION 7. The commissioners of the county of Philadelphia are hereby authorized and required, with the consent of the county board, to contract with the Philadelphia, Wilmington and Baltimore railroad company for the passage over their bridge at Gray's Ferry forever, free of toll or other charges, of all foot passengers and persons on horseback, carriages, wagons and vehicles, with or without horses or other animals, either laden or unladen, and also for the passage over the said bridge in like manner, forever free of toll or other charges, of all droves of oxen, swine or other animals, either by the payment of an annual sum for the same, or by the payment of a gross sum as to the said commissioners and county board shall see in most expedient, the said Philadelphia, Wilmington and Baltimore railroad company before the payment of any sum as aforesaid, shall enter into good and sufficient covenants with the county of Philadelphia, to maintain, keep and repair, light, watch and superintend the said bridge and its appurtenances from time to time, and at all times forever, at their own proper cost and charges, and to make such rules and regulations for the preservation and security of the said bridge as may be necessary to preserve a safe passage over the same, at all times, free of toll or other charges.

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—This sixteenth day of March, Anno Domini, eighteen hundred and thirty nine.

DAVID R. PORTER.