

[No. 137.]

## AN ACT

To Incorporate the Alexandria Delaware Bridge Company.

WHEREAS, The legislature of the State of New Jersey, by an act passed the fifth day of March, in the year of our Lord one thousand eight hundred and forty-one, entitled "An act to incorporate the Alexandria Delaware bridge company," have appointed and authorized five commissioners therein named, who with commissioners to be appointed by the Commonwealth of Pennsylvania, shall be authorized to receive subscriptions to the capital stock of said company, at such times and places, and in such manner, and for such purposes as are set forth in the said act. Preamble

And whereas, The said act provides for the incorporating of the persons holding shares into a company, with certain power, privileges and franchises in the said act particularly set forth, to which act the concurrence of the legislature of the Commonwealth of Pennsylvania is requested, in order that the same may be carried into effect; Therefore, 2d preamble

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 Joseph M. Cowell, John M. Pursel, George Wyker, Henry S. Stover, Adam Barnets, and N. D. Williams, or a majority of them, all of the county of Bucks and Commonwealth of Pennsylvania, be and they are hereby appointed commissioners together with the commissioners appointed by the legislature of New Jersey as aforesaid, to receive subscriptions to the said capital stock; and that all the powers and authority given by the above recited act of the legislature of the State of New Jersey, to the commissioners therein named, be and the same are hereby given to the commissioners appointed by this act. Commissioners

SECTION 2. That all and singular the power and authority, privileges, franchises, and emoluments given by the said recited act of the legislature of New Jersey, to the justices of the supreme court of said state, and the company to be incorporated by virtue of the said act, respectively, be and the same are hereby given in like manner to the court of common pleas of the county of Bucks, and the said subscribers and the company to be incorporated by virtue of this act; and that the assent of this Commonwealth be and the same is hereby given to the said recited act of the legislature of the State of New Powers of court common pleas Bucks county

Jersey, and the same is hereby adopted, ratified and confirmed by this Commonwealth, as fully and amply as if the same had been re-enacted at large, section by section, and the provisions thereof shall be of full force and effect within this Commonwealth, and the same shall be annexed to and printed with the laws of this State.

## STATE OF NEW JERSEY.

### AN ACT

To Incorporate the Alexandria Delaware Bridge Company.

Capital

**SECTION 1.** *Be it enacted by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That the capital stock of the Alexandria Delaware bridge company, shall amount to thirty thousand dollars, and may be increased to forty thousand dollars if the same shall become necessary; and the stock shall be divided into shares of fifty dollars each; and the subscribers to the said capital stock shall pay the sum or sums of money for the share or shares by them respectively subscribed, at such periods and in such proportions as the directors of the said company may determine.*

Commissioner's

**SECTION 2.** *And be it enacted, That Hugh Capner, William Case, senior, Lewis M. Prevost, Cornelius Huff, senior, and William I. King, or a majority of them, be and they are hereby appointed commissioners on the part of this State, who with commissioners to be appointed by the Commonwealth of Pennsylvania, shall be authorized to receive subscriptions to the said capital stock, and at such times and places as they or a majority of them may direct, by giving notice thereof in two of the newspapers printed in the county of Bucks, in the State of Pennsylvania, and in two of the newspapers printed in the county of Hunterdon, in this State, for at least twenty days next preceding the time of receiving said subscriptions, and of the times and places where and when the said subscriptions shall be received; at which times and places, books of subscriptions shall be opened by the said commissioners, or a majority of them, and be kept open for three days at least, from ten o'clock in the forenoon until six o'clock in the afternoon of each day; and if the number of shares subscribed for shall exceed the amount or number of shares authorized by this act, then the said commissioners, or a majority of them, shall apportion the said stock among the subscribers, in proportion to the amount by them subscribed for, but no appor-*

tionment shall be made of any subscription for five shares or less. And in case the whole of the original stock shall not be subscribed for before the books shall be closed, or it shall afterwards become necessary to increase the said stock to the amount authorized in the former section of this act, books of subscription shall be opened by the president and directors for the time being, or a majority of them, who shall act as commissioners, and shall give the like notice and proceed in the like manner in all respects as is above directed. Subscription

SECTION 3. *And be it enacted,* That at the time of subscribing, five dollars in cash shall be paid on each share to the said commissioners, or some one of them selected by the others for that purpose, to be paid over to the treasurer of the said company as soon as one shall be appointed; and that the residue of the moneys subscribed, shall be paid in such instalments not exceeding five dollars each, nor required to be paid within thirty days of each other, and at such times and places and to such persons as the president and directors shall from time to time direct, and of which the like public notice as is mentioned in the preceding section of this act shall be given. And if any person or persons shall neglect or refuse to pay any instalment so required, for the space of thirty days after the time appointed for the payment thereof, it shall be lawful for the president and directors to forfeit the share or shares of him or them so neglecting or refusing, with all previous payments made thereon, to and for the use of the said company. \$5 paid on  
subscribing  
  
Instalments

SECTION 4. *And be it enacted,* That when two hundred shares of said capital stock shall have been subscribed for, and the sum of five dollars on each share paid as is above directed, the persons holding the same shall be and they are hereby incorporated into a company, by the name of "The Alexandria Delaware Bridge Company," and by that name shall have perpetual succession, and shall have authority to erect and maintain a good and sufficient bridge over the river Delaware, at the foot of and opposite to the main street in the village of Alexandria, otherwise called Frenchtown, in the county of Hunterdon, in this State; and shall be capable 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, and estates real and personal, as may be necessary and convenient to them in the prosecution of their works, and of suing and being sued, pleading and being impleaded in all courts of justice. Name

SECTION 5. *And be it enacted,* That as soon as two hundred shares of the said capital stock shall be subscribed for, and the sum of five dollars paid on each of said shares as aforesaid, it shall be the duty of the said commissioners to give notice in two or more of the newspapers printed in the county of Bucks, in the State of Pennsylvania, and also in two Organization

or more newspapers printed in the county of Hunterdon, in this State, of the time and place to be by them appointed, not less than thirty days from the time of issuing said notice, at which time and place the said stockholders shall proceed to organize the said company.

**SECTION 6.** *And be it enacted,* That the stockholders shall meet on the second Monday in January in every succeeding year, at such place as shall be fixed by the by-laws of said company; and at the meeting provided for in the preceding section, the stockholders present in person or by proxy, shall choose by ballot, a president, six directors, a treasurer, and such other officers as they may think necessary to conduct the business of said company, who shall hold their offices until the next annual meeting, and until others are chosen in their places; and may make such by-laws and regulations not inconsistent with the constitution or laws of this State, or of the United States, as they shall deem necessary and proper for the management of their affairs: *Provided always,* That each stockholder shall be entitled to one vote for every share of stock owned by him, not exceeding ten; and one vote for every two shares above ten, and not exceeding twenty; and one vote for every five shares of stock by him held above twenty, until the number of his votes amounts to twenty, and that no person shall be entitled to more than twenty votes.

**SECTION 7.** *And be it enacted,* That the president and directors first to be chosen as aforesaid, shall issue certificates of stock to the several stockholders respectively, signed by the president and countersigned by the treasurer of the said company, which certificate shall be transferable at his or her pleasure, in person or by attorney, subject, however, to the payments due and that may become due thereon; and the assignee holding any certificate, having first caused the assignment or transfer to be entered on a book of the company to be kept by the treasurer for that purpose, shall be entitled to the same rights and privileges as if he had originally subscribed for the stock so assigned or transferred to him.

**SECTION 8.** *And be it enacted,* That the said president and directors shall meet at such times and places, and be convened in such manner as shall be agreed on, for transacting their business. At such meeting five members shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of all 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 engineers, superintendents, artists, and other officers as they shall think necessary for the erection and completion of said bridge, and to fix their salaries and other wages, to determine the time, manner and proportions in which the stockholders shall pay the money on their respective shares, to draw orders on the

## SESSION OF 1841.

treasury for all moneys that may be required, the same to be signed by the president or chairman, and countersigned by the clerk of the board, and to do and transact all matters and things as by the by-laws or regulations of the said company shall be lawful.

**SECTION 9.** *And be it enacted,* That after the place for the erection of the said bridge shall be fixed, and before the said president and directors shall proceed to erect the same, it shall and may be lawful for the said president and directors to contract and agree with the owner or owners of any lands for the purchase of so much thereof as shall be necessary for the purpose of erecting and perfecting the said bridge, and making and establishing all the necessary works and roads to and from the same, if they can agree with the owner or owners of the same; but in case they cannot agree, or in case any such owner or owners thereof shall be feme covert or under age, non compos mentis, or reside out of the State, then it shall and may be lawful for the president and directors to apply to one of the justices of the supreme court of this State, not being a stockholder or otherwise interested, who, upon such application, is hereby authorized and directed to appoint three discreet and disinterested freeholders of this State, who, after being duly sworn or affirmed, before any justice of the peace, faithfully to perform the duties enjoined on them by this act, shall proceed to view the said banks and all such lands as shall be necessary for the purpose of erecting and perfecting the said bridge and making and establishing all necessary works and roads and from the same, and shall, according to the best of their skill and judgment, ascertain and estimate the injury and damage that will be sustained by the owner or owners of such lands so necessary to be taken as aforesaid, and shall report what sum shall be paid by the said company for the same, which report shall be made in writing, under their hands and seals, or under the hands and seals of any two of them, and shall be by them returned, together with a map describing the metes and bounds of such lands, to the supreme court at the term thereof next after they shall have agreed upon and signed the same, and the said report having been confirmed by the said supreme court, shall be filed in the clerk's office of the said court, with the map aforesaid, and the said president and directors having paid the said owners, respectively, the several sums awarded to be paid to them in or by the said report, together with the fees of the said arbitrators, at the rate of two dollars to each for every day employed in the said business, and their necessary expenses; the said company shall be entitled to have and to hold, to them and their successors and assigns forever, the said lands, as fully and effectually as the respective owners thereof were entitled to have and to hold the same; and in case any owner or owners of

Site for  
bridge, &c

Proceedings  
when parties  
cannot agree

Proviso

such land so appraised, shall be feme covert, under age, non compos mentis, or out of the State, then, and in such case, the said company shall pay the amount which has been awarded to such owner or owners, respectively, into the court of chancery to the clerk thereof, subject to the order of said court, for the use of the said owner or owners, all which proceedings shall be had at the proper cost and charges of said company, to be determined by the said justices of the supreme court: *Provided always*, That should the owner or owners of any such lands, or the said company feel himself or themselves aggrieved by the decision of the arbitrators aforesaid, he or they may appeal to the next circuit court in the county where the land lies, reserving to either party the right of trial by jury in said court, and the decision of the said court, in the premises, shall be final and conclusive; but the party so appealing shall in no case be entitled to costs, unless the award of the arbitrators shall be reversed or altered in favor of the party so appealing, and it shall and may be lawful thereupon, and not before, for the said president and directors to enter upon the said lands, and to commence and complete the erection of said bridge.

Accounts of  
moneys re-  
ceived

SECTION 10. *And be it enacted*, That the president and directors of the said company shall keep fair and just accounts of all moneys received by them from the said commissioners and from the stockholders, and of the amount of the profits and shares that may be forfeited as aforesaid, and of all voluntary contributions, and also of all moneys by them expended in the prosecution of the said work, and shall at least once in each year submit such accounts to a general meeting of the stockholders until the said bridge be completed, and until all the costs, charges and expenses for effecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be ascertained and liquidated.

SECTION 11. *And be it enacted*, That when a good and complete bridge shall be erected over the said river Delaware, at the village of Alexandria, otherwise called Frenchtown, and at the foot of and opposite the main street thereof, the said company may demand and receive toll from travellers and others, not to exceed the following rates:

Tolls

For every coach, landeau, chariot, phaeton, or other pleasure carriages, with four wheels, drawn by four horses, the sum of seventy-five cents.

For the same kind of carriages with two horses, the sum of fifty cents.

For every wagon with four horses, the sum of sixty-three cents.

For every carriage of the same description, drawn by two horses, the sum of fifty cents.

For every chaise, riding chair, sulkey, cart, or other two-

wheeled carriage, or a sleigh, or sled, with two horses, the sum of thirty-one and one fourth cents.

For the same with one horse, the sum of fifteen cents.

For every single horse and rider, the sum of ten cents.

For every led horse, or driven mule, the sum of five cents.

For every foot passenger, the sum of two cents.

For every head of horned cattle, the sum of three cents.

For every sheep or swine the sum of half a cent.

*Provided*, That all persons going to, or returning from funerals; persons going to or returning from religious meetings or church; children going to, or returning from school, shall pass free of toll.

*Provided also*, That in fixing the toll of all carriages, drawn wholly by oxen, or partly by oxen and partly by horses, two oxen shall be estimated equal to one horse; and the said company shall so erect said bridge, as in no wise to injure, stop, or interrupt the navigation of the said river, or prevent boats and rafts from passing. Oxen rated

SECTION 12. *And be it enacted*, That if any person or persons shall wilfully cut, destroy, break or remove from off the said bridge, or any part thereof, any piece or pieces of timber, plank or planks, stone or stones, chain or chains, bolt or bolts, or any other materials whatsoever, belonging to said bridge, or otherwise, wilfully or maliciously damage the same, he, she, or they, so offending, shall forfeit and pay for every such offence, over and above the damages done to the said bridge, the sum of thirty dollars, to be recovered with costs of suit by action of debt, in any court having cognizance thereof, by any person or persons who shall sue for the same. Penalty for injury to bridge

SECTION 13. *And be it enacted*, That if the said company, their successors or assigns, or any person or persons having the charge or custody of the said bridge, shall collect or demand any greater rate or prices for passing over the said bridge, than are herein before prescribed and specified, or if the said company, or their assigns, shall neglect to keep the said bridge in good repair, he, she, or they, so offending, shall for every such offence, forfeit and pay the sum of thirty dollars, to be recovered with costs of suit in an action of debt, or other proper form of action, in any court of competent jurisdiction, by any person who shall sue for the same, one third part thereof for the use of the poor of the county of Bucks, in the State of Pennsylvania, and one third part thereof for the use of the poor of the township of Alexandria, in the county of Hunterdon, and State of New Jersey, and the other third for the use of the person who may sue for the same: *Provided always*, That no suit or action shall be brought, unless within sixty days after each offence shall be committed. Penalty for exacting too great toll

SECTION 14. *And be it enacted*, That the said president

Owners of Ferries and Shad fisheries compensated and directors shall have power to agree with any owner or owners of ferries, or shad fisheries, that may be injured by the erection of said bridge, and to compensate them for any damage they may thereby sustain, and if they cannot agree with such owner or owners, then and in such case the said damages shall be ascertained and paid in the same manner as is provided for in the ninth section of this act: *Provided*, That no person shall receive any compensation for ferrying at any ferry which shall have been purchased and paid for by the said company, after the said bridge shall have been completed.

Proviso

SECTION 15. *And be it enacted*, That the said president and directors shall also keep a just and true account of all and every the moneys received by their respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof, if any, among all the stockholders of the said company, deducting first therefrom all contingent costs and charges, and such proportion of said income as may be deemed necessary for a growing fund. to provide against the decay and for the rebuilding and repairing of said bridge, and shall on every first Monday in January and July, in each and every year, publish the dividend, if any to be made, of the said clear profits thereof, among the stockholders, and of the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly.

Dividends

Repair fund

SECTION 16. *And be it enacted*, That the president and all such officers as the managers shall direct, shall before he or they act as such take, an oath or affirmation for the due and faithful execution of the duties of his or their office.

Oath

SECTION 17. *And be it enacted*, That this act shall not take effect or go into operation until the legislature of the Commonwealth of Pennsylvania, shall pass a law appointing commissioners on their part, and vesting like power and authority in the subscribers to the said capital stock, of erecting a bridge at the place aforesaid, and of extending the same from shore to shore, with as full and ample powers, privileges, franchises and emoluments, as to the said company are hereby given, and subject to the same restrictions, limitations, provisos, and conditions as are herein contained.

When act shall take effect

SECTION 18. *And be it enacted*, That nothing in this act contained shall be so construed as to authorize the said bridge company to exercise any banking privileges whatsoever, or to issue any notes in the nature of bank notes.

Banking prohibited

SECTION 19. *And be it enacted*, That it shall not be lawful for the company authorized to be created by this act, to contract debts or issue notes or other obligations for the payment of money, to an amount exceeding at any one time the amount of its capital actually paid in, and for any viola-

Directors, &c accountable for debts in certain cases

tion of this section the persons who acted as president and directors at the time when such excess of debts was contracted, or such excess of notes or other obligations was issued, shall severally and jointly be responsible for all the debts and contracts of the said company.

SECTION 20. *And be it enacted,* That if the said bridge shall not be commenced within five years, and completed within ten years from the passing of this act, the charter here-<sup>Commencement and completion</sup> by granted shall be void.

SECTION 21. *And be it enacted,* That it shall and may be lawful for the legislature at any time hereafter, to amend, alter, or modify this act whenever in their opinion the public good <sup>Legislative reservation</sup> shall require it.

HOUSE OF ASSEMBLY. }  
MARCH 5th, 1841. }

This re-engrossed bill having been three times read and compared in the House of Assembly,

*Resolved,* That the same do pass.

By order of the House of Assembly,  
JOHN EMLEY, *Speaker.*

IN COUNCIL. }  
MARCH 5th, 1841. }

This re-engrossed bill having been three times read in Council,

*Resolved,* That the same do pass.

By order of Council,  
JOSEPH PORTER,  
*Vice President.*

STATE OF NEW JERSEY.

I, CHARLES G. McCHESENEY, secretary of state of the State of New Jersey, do hereby certify that the foregoing is a true copy of an act passed March fifth, one thousand eight hundred and forty-one, by the legislature of this State, entitled "An act to incorporate the Alexandria Delaware bridge company," as taken from and compared with

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\* Seal of the \*  
\* SECRETARY OF \*  
\* THE STATE OF \*  
\* NEW JERSEY. \*  
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the original, now on file in my office.

In testimony whereof I have hereunto set my hand, and affixed my seal of office at Trenton, in said state, this twelfth day of March, Anno Domini one thousand eight hundred and forty-one.

CHARLES G. McCHESENEY,  
*Secretary of State.*

## STATE OF NEW JERSEY.

I, WILLIAM PENNINGTON, Governor of the State of New Jersey, do hereby certify that Charles

\*\*\*\*\*  
 \* THE Great Seal \*  
 \* OF THE STATE OF \*  
 \* NEW JERSEY. \*  
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G. McChesney, Esquire, who hath signed the preceding certificate, and whose official seal is thereto annexed, is secretary of state of the State of New Jersey, duly appointed, commis-

sioned and sworn, and that full faith and credit are to be given to his official attestations; that the said signature is in the proper handwriting of the said Charles G. McChesney, and the seal his seal of office, and that the said certificate is in due form of law.

In testimony whereof I have hereunto set my hand, and caused the great seal of the State of New Jersey to be hereunto affixed, at the city of Trenton in said State, this twelfth day of March, in the year of our Lord one thousand eight hundred and forty-one.

WM. PENNINGTON.

By the Governor.

CHARLES McCHESNEY,

*Secretary of State.*

Protection of  
 insectivorous  
 birds in Berks  
 county

SECTION 3. WHEREAS, It is the opinion of farmers and others, acquainted with the habits of birds, that the great increase of cut worms, other grubs and insects which infest gardens, orchards, fields, and forests, is chiefly owing to the decrease of insectivorous birds. *And whereas*, The severity of the winters for the last few years, seems to call for some regulations for the protection of game during certain seasons of the year; Therefore,

*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 from and after the time when this act will take effect, it shall not be lawful for any person within the county of Berks to shoot, kill, or destroy during the months of March, April, May, June and July, in each and every year thereafter, any robin, flicker, bluebird, woodpecker, thrush, or other insectivorous bird, blackbird only excepted, under a penalty of two dollars for each and every offence, to be sued for and recovered before any justice of the peace with all costs and charges, one-half of the said penalty for the use of the informer, and the other half for the use of the county.

Protection of  
 Pheasants, &c  
 in Berks co

SECTION 4. That from and after the passage of this act no person shall shoot or otherwise kill, in the county of Berks, any pheasant or patridge, between the first day of January and the fifteenth day of October, nor any woodcock between

the first day of December and the fourth day of July, in any year hereafter.

SECTION 5. No person shall, at any time, wilfully destroy the eggs or nests of any pheasant, partridge or woodcock within the said county. Eggs, &c

SECTION 6. No carrier, huckster, victualler, inkeeper or any other person, shall have in his or her possession, or buy or cause to be bought, or carry out of the said county for the purpose of supplying any market, any pheasant, partridge, woodcock or squirrel, unless they shall have been shot or taken in the proper season. Hucksters and others prohibited vending game out of season

SECTION 7. Any person or persons offending against the provisions of the second, fifth and sixth sections of this act, on conviction thereof before any justice of the peace, shall forfeit and pay, for every such offence, a fine of ten dollars and all costs and charges, one half of the fine for the use of the informer, and the other half for the use of the county. Penalty for violating law

SECTION 8. That this act shall not prevent any person or persons from shooting or otherwise killing game or insectivorous birds on his, her or their own property, at any season of the year. Owners of lands privileged

SECTION 9. That this act shall not interfere with any existing law or laws to prevent trespass or the firing of guns near public highways. Not to prevent action of trespass

SECTION 10. That this act shall take effect on the first day of January, Anno Domini, one thousand eight hundred and forty-two, and not before. When to take effect

SECTION 11. That from and after the passage of this act, no person shall kill, in the county of Lancaster, any woodcock between the first of November and the first of July. Protection of game in Lancaster co

SECTION 12. That from and after the passage of this act, it shall not be lawful for any person or persons to fish with any seine or nett in the waters of Fishing creek, in the county of Clinton, and any person so offending, upon conviction thereof before any justice of the peace in said county, shall forfeit and pay a fine of not less than five dollars or more than twenty dollars, one half for the use of the informer, and the other half for the use of the poor of the township in which such offence shall be committed. Clinton co fishing with seines in Fishing creek prohibited

WM. A. CRABB,

*Speaker of the House of Representatives.*

JN. H. EWING,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and forty-one.

DAVID R. PORTER.