

capacities, on the dockets of the prothonotaries of the several counties of this commonwealth.

FRED'K SMITH, *Speaker*
of the House of Representatives.
 WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, Anno Domini one thousand eight hundred and thirty.

GEO. WOLF.

No. 172.

AN ACT

Authorising the Governor to incorporate the Delaware and Susquehanna rail road company.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same,* That David Scott and Henry Harmans, of Luzerne county, Nathaniel B. Eldred and John Roosa, of Wayne county, Oliver S. Dimmick, Moses Kellam, junior, and Daniel M. Brodhead, of Pike county, or any two of them, be and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, they shall on or before the first day of December next, procure a book or books, which shall be opened in the town of Milford and in the borough of Wilkesbarre, and therein enter as follows: "We whose names are hereunto subscribed, promise to pay the president and managers of the Delaware and Susquehanna rail-road company, the sum of fifty dollars for every share of stock set opposite our respective names, in such manner and proportion and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the general assembly of the state of Pennsylvania, entitled "An act authorising the Governor to incorporate the Delaware and Susquehanna rail-road company." Witness our hands this day of in the year of our Lord one thousand eight hundred and thirty ," and shall thereupon give notice in one newspaper printed in each of the counties of Pike, Wayne and Luzerne, for three weeks at least, of the times when and places where the said book or books shall be kept open to receive

Commissioners to open books.

Form of subscription.
 \$50 per share.

Notice.

Whomay
subscribe.

20000 shares.

Proviso.

§5 to be paid
at time on
each share.

2d proviso.

Governor to
fill vacancies

When 5000
shares are ta-
ken and §5
paid on each,
charter may
issue.

Title.

subscriptions for the stock of the said company, at which respective times and places one or more of the commissioners shall attend, and permit persons of lawful age, who shall offer to subscribe in the said books, in their own name or in the name of any other person who shall authorise the same, for any number of shares in the said stock, and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every juridical day, for the space of six days, or until there shall have been subscribed twenty thousand shares; and if at the expiration of six days the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the book or books elsewhere, until the whole number of twenty thousand shares shall be subscribed, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares shall be subscribed, then the books shall be closed: *Provided always*, That every person offering to subscribe in the said books, in his own or any other name, shall previously pay to the attending commissioners the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions and other incidental expenses, and the remainder shall be paid to the treasurer of the corporation, as soon as the same shall be organized, and the officers chosen as hereinafter mentioned: *And provided also*, That should any of the said commissioners refuse to act, or should a vacancy happen in their number, by death, removal or resignation, the Governor is hereby authorised to fill all such vacancies, by appointing persons to supply the places of such of said commissioners as may refuse to act, die, remove or resign.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when five thousand shares or more of the said stock shall be subscribed, and the sum of five dollars paid on each and every share, the commissioners or a majority of them, may certify to the Governor, under their hands and seals, the names of the subscribers and the number of shares subscribed by each, whereupon the Governor shall by letters patent under his hand and the seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe, to the number of shares as aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of the "Delaware and Susquehanna rail-road company," and by the same name the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corpo-

ration, and shall be capable of taking and 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 shall be found necessary to fulfil the intentions of this act, and of purchasing, taking and holding to them and their successors and assigns, in fee simple or for any less estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do, and also to purchase and hold for mining purposes, any quantity of land not exceeding two hundred acres: *Provided*, That said company shall not in their own right nor in trust nor otherwise hold more than the said two hundred acres.

Privileges,
liabilities,
&c.

May hold
200 acres as
coal land.

SECT. 3. *And be it further enacted by the authority aforesaid*, That the aforesaid commissioners or a majority of them, shall, as soon as conveniently may be after the said letters patent shall be obtained, give at least twenty days previous notice in the newspapers hereinbefore mentioned, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy duly authorised, which proxy shall have been obtained and bear date within three months previously to the election at which such proxy shall be presented, one president and ten managers, secretary, treasurer and such other officers as shall be deemed necessary, and the president and managers aforesaid shall conduct the business of the said company until the first Monday of January then next, and until like officers shall be chosen; and may make such by-laws, rules, orders and regulations as are not inconsistent with the constitution and laws of the United States or of this state, and that may be necessary for the well governing the affairs of the company.

20 days notice
of first
election and
organization,
&c.

Proxies dated
3 months
back.
President,
10 managers,
treasurer,
secretary,
&c.

By-laws, &c.

SECT. 4. *And be it further enacted by the authority aforesaid*, That the stockholders shall meet on the first Monday of January in every year, at such place as may be fixed upon by the by-laws, of which notice shall be given at least twenty days by the secretary, in such newspapers as the said president and managers shall direct, and choose by a majority of votes present, their officers for the ensuing year, as mentioned in the third section of this act, who shall continue in office for one year, and until others are chosen; and at such other times as they may be summoned by the managers, in such manner and form as shall be prescribed by the by-laws; at which annual or special meeting they shall have full power and authority

Annual elections
and
meetings of
stockholders

Special
meetings.

Powers, authorities, &c.

Ratio of votes to shares.

Proviso.

Votes by proxy regulated by act of 28th March, 1820.

Manner of conducting elections.

Neglect to elect not to dissolve.

to make, alter or repeal, by a majority of the votes, in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform every other corporate act; and the number of votes to which each stockholder shall be entitled, shall be according to the number of shares he or she shall hold, in the proportions following, that is to say, for each share not exceeding four shares, one vote; for every two shares above four and not exceeding ten shares, one vote; for every four shares above ten and not exceeding thirty, one vote; for every ten shares above thirty and not exceeding one hundred, one vote; but no share or number of shares above one hundred shall confer any additional right of voting, and no share shall confer a right of suffrage which shall not have been holden three calendar months prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide, in his own right or in that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right and for the use and benefit of some co-partnership, corporation or society of which he or she may be a member, and not in trust for and to the use and benefit of any other person: *Provided*, That no shares held by transfer shall be entitled to vote unless the same shall have been transferred at least three months before the election, and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, in the year one thousand eight hundred and twenty, entitled "An act to regulate proxies"

SECT. 5. And be it further enacted by the authority aforesaid, That the election of officers provided for in the fourth section of this act, shall be conducted in the following manner, that is to say, the managers for the time being, shall appoint two of the stockholders, not being managers, to be judges of the said election, and to conduct the same, after having severally taken and subscribed an oath or affirmation, before an alderman or justice of the peace, well and truly and according to law to conduct such election, and the said judges shall decide upon the qualifications of the voters, and when the election is closed, shall count the votes, and declare who has been elected, and if it shall at any time happen that an election of president, managers, treasurer, or other officers shall not be made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold and make such election of president, managers, treasurer, or other officer, on the same day or on any other day thereafter, by giving at least ten days notice, signed by the president or secretary, in the newspapers before mentioned, of the time and place of holding said election;

and the president, managers, treasurer and other officers of the preceding year, shall in that case continue to act, and be invested with all the powers belonging to their respective situations, until an election shall take place: and in case of the death, or resignation or removal of any such president, manager, treasurer or other officer; his place shall be filled by the board of managers until the next annual election.

Old officers
to continue
in such cases.

Board to fill
vacancies

SECT. 6. *And be it further enacted by the authority aforesaid,* That the said president and managers shall meet at such times and places as shall be found most convenient for the transacting of their business, and when met six shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions fully entered in a book, and a quorum being formed, they shall have full power and authority to appoint all such surveyors, engineers, superintendents and other artists and officers, as they shall deem necessary to carry on the intended work, and to fix their salaries and wages; to ascertain the times, manner and proportions in which the said stockholders shall pay the moneys due on their respective shares; to draw orders on the treasurer for the same, which shall be signed by the president, or in his absence by a majority of the managers present, and countersigned by the secretary, and generally to do all such other acts, matters and things as by this act and by the by-laws and regulations of the company they are authorised to do.

Duties of
president &
managers.

Orders on
Treasurer.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the president and managers first chosen shall procure certificates or evidence of stock, for all the shares of the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person, for the share or shares by him subscribed and held, which certificates or evidence of stock shall be transferable at his pleasure, in person or by attorney duly authorised, in the presence of the president or treasurer, who shall keep a book for that purpose, subject however to all payments due or to become due thereon; and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for the transfer of stock, shall be a member of the said corporation, and for every certificate assigned to him as aforesaid shall be entitled to the share or shares of the capital stock held by the person assigning the same, and of all the estates and emoluments of the company incident to such share or shares, and to vote as aforesaid at the meetings thereof, and be subject to all penalties and forfeitures, and

Certificates
of stock.

Mode of
transfer and
assignment.

of being sued for all the balance and penalty due or to become due on such share or shares as the original subscribers would have been.

Penalty on neglect to pay instalments.

Shares may be forfeited and sold.

Penalty enforced.

Proviso.

Delinquents not to vote.

Right to make road, &c.

Route.

SECT. 8. *And be it further enacted by the authority aforesaid,* That if after twenty days notice in the public papers aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, any stockholder shall neglect to pay such proportion or instalment at the place appointed, for the space of twenty days after the time so appointed, every such stockholder or his assigns shall, in addition to the instalment so called for, pay at the rate of two per centum per month for the delay of such payment; and if the same and additional penalty shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same; or in default of payment by any stockholder of any such instalment as aforesaid, the said president and managers may at their election cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided,* That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or at any general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than twenty days previously to the said election or meeting.

SECT. 9. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the president, managers and company, of the Delaware and Susquehanna rail road company, to make a complete rail-road, commencing at some point on the Delaware river not exceeding ten miles above the town of Milford, in Pike county, thence to any convenient point on the Lackawanna, at or near its confluence with the Susquehanna, in Luzerne county, with such inclined planes, engines, devices, or other works as shall be necessary, and also for the passage along said rail-road of all wagons or carriages adapted to the same, if they shall think proper, under and subject to the same rules, regulations and restrictions, and to receive the same tolls as are provided by this act.

SECT. 10. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said president, managers and company, their agents, superintendents, surveyors, engineers, artists and workmen to enter upon

any lands in any part or place thereof which shall appear to them most convenient and best adapted for the route of said rail-road, and to cut, break, and remove and take away, all trees, rocks, stones, earth, gravel and sand, or other materials, or any obstructions or impediments whatsoever, on the said route, and to use all such timber, rocks, stones, gravel and earth or other materials which may be found necessary in the prosecution of their works, and to form, make and erect, and set up all such inclined planes, engines and devices, whatsoever, which they shall deem most fit and convenient to make a complete rail-road from one end thereof to the other, so as to admit a safe and easy passage for all such wagons, cars and carriages, as shall be properly constructed for passing on said rail road, and to make and construct said rail-road in such manner, and with such materials as the said president and managers shall deem proper and expedient.

Right to locate and take materials where most convenient.

To make inclined planes, engines, &c.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the said president, managers and company, shall have power and authority, by themselves, or their superintendents, surveyors, engineers, artists and workmen, to enter in and upon and occupy for that purpose, any lands which shall be necessary and suitable for the intended rail-road, and there to dig, construct, make and erect said rail-road, and inclined planes, engines, and other necessary device, satisfying the owner or owners thereof; but if the parties cannot agree upon the compensation to be made to such owner or owners, it shall and may be lawful for the parties to appoint three suitable and judicious persons within the proper county where the land lies, or if they cannot agree on such persons, then either of the parties may apply to the court of common pleas of the proper county where the land lies, and the said court shall appoint three disinterested men, who shall under oath or affirmation, ascertain and report to the said court, what damages, if any, have been sustained by the owner or owners of said ground, by reason of such rail-road, and other device, erected on or passing through his, her or their land, which report being confirmed by the court, judgment shall be entered thereon, and execution may issue in case of non-payment for the sum awarded, with reasonable costs, to be assessed by the court, and it shall be the duty of the said appraisers in valuing any land, to take into consideration the advantages derived to the owner or owners of the premises from the said rail-road passing through the same: *Provided,* That either party may appeal to the court within thirty days after such report may have been filed in the prothonotary's office of the proper county, in the same manner as appeals are allowed in other cases.

Power to occupy.

Settlement of damages.

Mode of appointing 3 appraisers.

Their report under oath.

Confirmed by court. Viewers to consider advantages of road.

Proviso.

Right of appeal within 30 days.

Right to enter upon lands.

Amends for damages, pay for materials, &c. under 11th section.

Collection of toll.

Not to exceed 12 per cent.

Legislature to fix rate from time to time.

Proviso.
Rate not to exceed 1½ cents per ton per mile.
2d proviso.
Toll to be reduced if it produces more than 12 per cent.
3d proviso.
To receive tolls on every 5 miles as completed.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the president, managers and company, by and with their superintendents, engineers, artists, workmen, and laborers, with their tools, instruments, carts, wagons, and other carriages, and beasts of draft or burthen, may enter upon the lands contiguous and near to the route of the intended rail-road, giving notice to the owner or occupiers thereof, and from thence to take and carry away any stone, gravel, sand, earth or timber, doing as little damage thereto as possible, and repairing any breaches they may make in the enclosure thereof, and making amends in the same manner as in the eleventh section of this act, for any damages that may be done thereon, and pay for the materials taken away, the amount whereof, if the parties do not agree, shall be assessed and valued by three freeholders, chosen as directed, and whose proceedings shall be in the same manner provided for in the eleventh section of this act.

SECT. 13. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the said president, managers and company, or such person or persons as they shall from time to time appoint toll collectors, or their deputies, so soon as the said rail-road shall be perfected, to collect and receive by toll upon the said rail-road, a sum not exceeding twelve per cent. per annum upon the amount of moneys which shall have been expended in the completion of the said rail-road, or rail-roads, and in the support, improvement and continuance of the same from time to time, and for that purpose the legislature shall have full power and authority to regulate and fix from time to time, as they may think proper, the rate of toll to be paid to them by all persons upon all wagons, carriages and conveyances using the said rail-road, sufficient to assure the payment of the said twelve per centum per annum: *Provided,* That the rates of toll to be charged on said rail-road shall in no case exceed one and a half cents per ton per mile: *Provided also,* That if at any time hereafter the tolls should enable the company, after paying all repairs and other necessary expenses, to divide more than twelve per centum per annum on the capital stock expended, then and in such case the tolls shall be so reduced that the dividends shall not exceed the said sum of twelve per centum per annum: *Provided always,* That the said president, managers and company shall have full power and authority to charge tolls at the rate aforesaid, upon every mile completed, whenever five miles of the said rail-road shall be completed.

SECT. 14. *And be it further enacted by the authority aforesaid,* That if the president, managers and company shall neglect or refuse to keep in good order or repair the said

rail-road, so that wagons, carriages or conveyances may pass along the said rail-road, the said president, managers and company shall for each and every such offence forfeit and pay the sum of twenty dollars, to be recovered in the same manner as debts of like amount are by law made recoverable, before an alderman or justice of the peace of the proper county where the offence shall be committed, one half to the use of the informer, and the other half to the use of the poor of the county in which such rail-road may be situated.

\$20 penalty on neglect to keep road in repair.

How collected and appropriated.

SECT. 15. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully and knowingly do any act or thing whereby any part of the said rail-road or any machinery or work of the company shall be injured or damaged, he, she or they so offending shall forfeit and pay to the said company fourfold the damages by them sustained, together with costs, to be recovered by action of debt, before an alderman or justice of the peace, or in any court of competent jurisdiction, or be liable to be prosecuted in the court of quarter sessions of the said county, for the same, as a misdemeanour, and upon conviction thereof be subject to fine or imprisonment, at the discretion of the said court, and if any owner or driver of any carriage, wagon or conveyance upon the said rail-road shall pass by any place appointed for receiving tolls, without making payment thereof, according to the provisions of this act, with intent to defraud the said president, managers and company out of such toll, he, she or they so offending shall forfeit and pay for every time they shall so pass by each appointed place, to the said president, managers and company, the sum of twenty dollars, to be sued for and recovered by action of debt, before any justice of the peace, in like manner and subject to the same rules and regulations as debts under one hundred dollars may be sued for and recovered, together with the costs of suit.

Penalty on wilfully injuring property of company.

How recovered.

Penalty on passing toll house without paying.

How recovered.

SECT. 16. *And be it further enacted by the authority aforesaid,* That the president and managers of the said company shall demand and require of and from the treasurer, and all and every other the officers and other persons by them employed, bonds with sufficient penalties and with such securities as they shall by their rules, orders and regulations require, for the faithful discharge of the several duties and trusts to them or any of them respectively committed.

Bonds and sureties of treasurer and other officers

SECT. 17. *And be it further enacted by the authority aforesaid,* That the president and managers of the said company shall keep fair and just accounts of all moneys received by them from said commissioners, and from the subscribers to the said undertaking, on account of the several subscriptions, of all penalties for delay in the pay-

President & managers to submit account of moneys received, &c.

to annual meeting of stockholders

ment thereof, and the amount of the profits on the shares which may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of the said works, and shall in every year submit such accounts to the stockholders at their annual meeting, and the aggregate amount of such receipts and expenditures shall be ascertained, and if upon such liquidation or when the capital stock shall be nearly expended, it shall be found that the said capital stock will be insufficient to complete the said navigation, according to the true intent and meaning of this act, or the said work from any casualty should be injured so as to require an increase of the capital stock, it shall and may be lawful for the said president, managers and company, at a stated or special meeting to be convened for the purpose, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to receive and demand the moneys for shares so subscribed, in like manner and under like penalties as are hereinbefore provided for the original subscription, or as shall be provided by their by-laws.

How capital stock may be increased.

Dividends to be declared semi-annually.

SECT. 18. *And be it further enacted by the authority aforesaid,* That the said president, managers and company shall also keep a just and true account of all the moneys received by their several and respective collectors of tolls, and all other emoluments, and shall make and declare a dividend of the clear profits and income thereof, among all the stockholders, and all contingent costs and charges being first deducted, and shall on the first Monday in January and the first Monday in July every year, publish the half yearly dividends made of the clear profit, and the time when and where the same will be paid to the stockholders, not exceeding twenty days thereafter, and shall cause the same to be paid accordingly.

To commence in 5 years and complete in 10.

Proviso.

Forfeiture of charter not to injure individual rights.

SECT. 19. *And be it further enacted by the authority aforesaid,* That if the president, managers and company shall not proceed to carry on the work within five years from the passage of this act, and shall not complete the same in ten years, according to the true intent and meaning of this act, then and in either of those cases all and singular the rights, liberties, privileges and franchises hereby granted to said company, shall revert to the commonwealth: *Provided always.* That in case of forfeiture or resumption by the legislature, of the rights, liberties, privileges and franchises hereby granted, nothing herein contained shall be construed to work a forfeiture of the rights of individuals to any land held by purchase or grants made by the president, managers and company, but the same shall be held by individuals in as full and ample a manner as they might do if no such forfeiture or resumption had taken place: *And provided also,* That

2d proviso.

if the said company shall at any time hereafter misuse or abuse any of the chartered privileges hereby granted, the legislature may at any time thereafter resume all and singular the rights, privileges and franchises hereby granted to the said company.

When such forfeiture may take place.

SECT. 20. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the said president and managers to survey, lay down, ascertain, mark and fix such route or routes for such rail-roads, whenever they shall be deemed necessary, between the points of commencement and termination hereinbefore mentioned, having regard to the convenience of the public and the interest of the stockholders, and to cause such rail-road or rail-roads to be constructed either of timber, iron or other sufficient materials, as to them shall seem expedient, and all damages incurred by the location and making of the said road, or by reason of taking and using the materials on and near the route thereof, shall be ascertained and paid in the manner hereinbefore directed.

Right of co. to survey &c. such routes between extreme points as may be necessary.

Damages as before directed.

SECT. 21. *And be it further enacted by the authority aforesaid,* That wherever said rail-road shall cross any public or private laid out road or highway, said company shall construct a passage in such manner as not to obstruct such road or highway; and where said rail-road shall divide the land of any person into two parts, said company shall, when required, construct a good and convenient passage over or under the same, for the use of such person.

Public and private causeways.

SECT. 22. *And be it further enacted by the authority aforesaid,* That the said company shall have a right to prescribe the kind of wagons, carriages and conveyances that shall be used upon the said rail-way or rail-ways, and to cause such as may be necessary to be erected by and at the expense of the said company, and to transport therein any passengers or articles of produce, merchandize, manufacture or otherwise, which may be required to be transported along the same, and to receive therefor such reasonable freight or fare as the said president and managers shall determine: *Provided,* That the said company shall not prevent any individual or individuals from transporting any passengers, merchandize, produce or manufactures or other articles along the same, he or they using the prescribed carriages, wagons or conveyances, and paying the company tolls therefor, at the rates hereinbefore mentioned and provided.

Company to prescribe kind of cars.

To transport produce, &c.

Proviso.

Not to prevent individuals from using road.

SECT. 23. *And be it further enacted by the authority aforesaid,* That no suit or action shall be brought or prosecuted for any penalties incurred by this act, unless such suit or action be commenced within six months next after the offence shall have been committed, or the cause of ac-

Suits must commence within six months.

tion accrued, and the defendant or defendants may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance and by authority of this act.

Not to engage in banking, &c.

SECT. 24. *And be it further enacted by the authority aforesaid;* That the said company shall not at any time be directly or indirectly engaged in any monied or commercial or manufacturing concerns.

Process may be served on any agent. Annual report to legislature.

SECT. 25. *And be it further enacted by the authority aforesaid,* That any mesne process which may be issued against the said corporation, may be served on any toll collectors, agent, director or other officer thereof, and that such service shall be held good, valid and effectual as a service of such process upon the said corporation, and the said corporation shall annually on the first Monday of January report to the legislature the progress they may make in constructing the said rail-road or rail-roads, and also an abstract of their accounts, certified by the oath or affirmation of the president of the said corporation, showing the amount of capital stock actually paid in, the state of the surplus or contingent funds, the profits which may have accrued, and the dividends made or declared during the preceding year.

Abstract under oath.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, Anno Domini one thousand eight hundred and thirty.

GEO. WOLF.

No. 173.

A FURTHER SUPPLEMENT

To an act authorising the Governor to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the borough of Norristown, in the county of Montgomery.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Schuylkill bridge at Norristown, be and they are here-