

No. 19.

AN ACT

To incorporate the Belvidere Delaware bridge company.

WHEREAS the legislature of the state of New Jersey, by Preamble. an act passed the day of in the year of our Lord one thousand eight hundred and thirty-entitled "An act to incorporate the Belvidere Delaware bridge company," have appointed and authorized three 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, in such manner and for such purposes as are set forth in the said act; and whereas the said act provides for the incorporating of the persons holding shares into a company, with certain powers, 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,

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 Anthony McCoy, Abraham Depue, Jacob Baker and Robert Simonton, all of the county of Northampton and commonwealth of Pennsylvania, be and they are hereby appointed commissioners, together with the commissioners appointed by the legislature of the state of New Jersey, as aforesaid, to receive subscriptions to the said capital stock, and that all the power 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.

SECT. 2. *And be it further enacted by the authority aforesaid,* 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 Northampton, 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 Jersey, and the same is hereby adopted, ratified and confirmed by this commonwealth, as fully and amply as if

Joint com-
missioners
appointed to
receive sub-
scriptions of
stock.

Provisions of
the New Jer-
sey law adop-
ted by Pa.

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; except that instead of the tolls which by the tenth section of the said act the said company is entitled to demand and receive, the amount to be by them demanded and taken on the following subjects, shall not exceed the following rates, viz: for every coach, landau, chariot, phaeton or other pleasure carriage with four wheels, drawn by four horses, the sum of fifty cents; and for the like carriages with two horses the sum of thirty-seven and a half cents; for every wagon with four horses, the sum of fifty cents; and for every carriage of the same description drawn by two horses, the sum of thirty one and a fourth 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 a fourth cents; and for the same with one horse the sum of eighteen and three fourth cents.

With the exception of certain stipulated rates of toll.

STATE OF NEW JERSEY.

AN ACT

To incorporate the Belvidere Delaware bridge company.

The act of the state of New Jersey recited.

WHEREAS it is represented to the legislature by the petition of a number of the inhabitants of the county of Warren that the erection of a bridge over the Delaware river at Belvidere, near the mouth of the Pequest river, would be a great convenience and accommodation to the public: Therefore,

SECT. 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 Belvidere Delaware bridge company shall amount to twenty-thousand dollars, and that the same 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 said company may determine.

SECT. 2. *And be it enacted,* That Garret D. Wall, of the city of Burlington, and John Kinney, Esquire, Jeremy Mackey and George Green, of the county of Warren, New Jersey, be and they are hereby appointed commissioners on the part of this state, who, with the commissioners to be appointed by the commonwealth of Pennsylvania, shall be authorized to receive subscriptions to the said capital stock, at such times and places as they or a majority of them may direct, giving notice thereof in a newspaper published in the county of Warren in this state, and in two of the newspa-

pers published in the county of Northampton, in the state of Pennsylvania, for at least twenty days of the times and places when and where the said subscriptions shall be received; and at the time of subscribing for the said stock five dollars shall be paid on each share subscribed for to the commissioners, or some of them, which money shall be paid over to the treasurer of the company as soon as one shall be appointed, and that the residue of the subscriptions shall be paid in such instalments, and at such times and places, and to such persons as the president and directors of the company shall from time to time direct and give public notice of, and upon failure of payment thereof as so directed, for thirty days thereafter, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the said instalments or any of them, to and for the use of said company: *Provided*, That if the number of shares subscribed for shall exceed the amount or number of shares authorized by this act to be subscribed for, that then the said commissioners shall apportion the said stock among such subscribers in proportion to the amount or number of shares by them subscribed as aforesaid.

SECT. 3. *And be it enacted*, That when three hundred shares are subscribed for, the persons holding the same shall be and they are hereby incorporated into a company, by the name of "the Belvidere Delaware bridge company," and by that name shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said 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 should be found necessary to fulfil the intent 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 estates, real and personal, as may be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, 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.

SECT. 4. *And be it enacted*, That as soon as three hundred shares of the said capital stock shall be subscribed as aforesaid, it shall be the duty of the said commissioners to give notice in a newspaper printed in the county of Warren, in the state of New Jersey, and in two or more newspapers printed in the county of Northampton, in the state of Pennsylvania, of the time of a meeting of said stockholders at Belvidere, in the county of Warren aforesaid, not less than thirty days from the time of issuing said notice, at which time and place the said stockholders shall proceed to organ-

ize the said company, and shall choose by ballot, by a majority of votes to be delivered in person or by proxy, one president, six directors, one treasurer, and such other officers as they shall think necessary to conduct the business of said company for one year, and until other officers shall be appointed, and may make such by laws and regulations not inconsistent with the laws and constitution of this state or of the United States, as shall be necessary for well ordering the affairs of said company, and also at the meeting aforesaid the said stockholders shall elect by ballot three commissioners, who shall within thirty days from said election, fix upon the site or location of said bridge, and return a survey of the same to the president of said company; *Provided always*, That no person shall have more than twenty votes at any election or in determining any question arising at such meetings, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held not exceeding twenty.

SECT. 5. *And be it enacted*, That the said stockholders shall meet on the first Monday in November in every succeeding year, at such place as shall be fixed on by the by laws of said company, for the purpose of choosing such officers for the ensuing year.

SECT. 6. *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 certificates shall be transferable at his or her pleasure, in person or by attorney, subject however to the payments due and that may grow due thereon, and the assignee holding any certificate, having first caused the assignment or transfer to be entered in a book of the company, to be kept by the treasurer for that purpose, shall for every share of stock so held by him or her, be entitled to his or her equal proportion of said capital stock, and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

SECT. 7. *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 meetings, 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 to carry on the said bridge, and to complete the same, and to fix their salaries and other wages, to determine the time, manner and proportions in which the stockholders shall pay the money due on their respective

shares, to draw orders on the treasurer 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 and regulations of the said company shall be lawful.

SECT. 8. *And be it enacted*, That after the place for the erection of said bridge shall be fixed as aforesaid, 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 and tenements, for the purchase of so much thereof as shall be necessary for the purpose of erecting and perfecting 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, then it shall and may be lawful for the said 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 and examine the said banks, and all such lands and tenements as shall be necessary for the purpose of erecting and perfecting the said bridge, and making and establishing all necessary works and roads to 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 and tenements 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 return the same, together with a map describing the metes and bounds of such lands and tenements to the supreme court 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 clerks' office of the said court, with the map aforesaid, and the said president and directors having paid the said owners respectively, or tendered them the several sums awarded to be paid to them in and by the said report, together with the fees of said arbitrators, at the rate of two dollars to each arbitrator 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 to their successors and assigns forever, the said lands and tenements, as fully and effectually as if the same had been granted to them by the respective owner or owners thereof, and it shall and may be lawful thereupon, and not before,

for the said president and directors to enter upon the said lands and tenements, and to commence and complete the erection of said bridge: *Provided*, That there shall be paid to said justice of the supreme court for the services herein provided for, the sum of ten dollars; to the supreme court for a confirmation of the report of said freeholders the sum of two dollars, and to the clerk of said court the sum of two dollars.

SECT. 9. *And be it enacted*, That the president and directors of said company shall keep fair and just accounts of all moneys received by them from the stockholders, and of the amount of profits on shares that may be forfeited as aforesaid, and of all voluntary contributions, and also of all moneys by them received and expended in the prosecution of 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 liquidated and ascertained.

SECT. 10. *And be it enacted*, That when a good and complete bridge is erected over the said river Delaware at the place aforesaid, the property of the said bridge shall be vested in the said company, their successors and assigns forever, and the said company, their successors and assigns, may demand and receive toll from travellers and others, not to exceed the following rates: for every coach, landau, chariot, phaeton, or other pleasure carriage with four wheels, drawn by four horses, the sum of seventy-five cents; and for the like carriages with two horses, the sum of fifty-cents; for every wagon with four horses the sum of sixty-two and a half cents; and 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-seven and a half cents; and for the same with one horse the sum of twenty five cents; for a single horse and rider the sum of twelve and a half cents; for every driven horse or mule the sum of six and a quarter 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 one cent; and the said company shall so erect said bridge as in no wise to injure, stop or interrupt the navigation of said river, or prevent boats or rafts from passing or persons from fording said river.

SECT. 11. *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 said bridge the sum of thirty dollars, to be recovered in any court having cognizance thereof.

SECT. 12. *And be it enacted*, That if the said company, their successors and assigns, and whosoever shall own or possess the said bridge, shall collect or demand any greater rate or prices for the passing over on said bridge than what are hereinbefore prescribed and specified, or 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, one third thereof for the use of the poor of the county of Warren in New Jersey, and one third thereof to the use of the poor of the county of Northampton, in the state of Pennsylvania, and the other third thereof to the use of the person or persons who may sue for the same: *Provided always*, That no suit or action shall be brought for the same unless within thirty days after such offence shall be committed.

SECT. 13. *And be it enacted*, That the said president and directors shall have power to agree with any owner or owners of ferries or shad fisheries that may be injured by the creation of said bridge, and to compensate them for any damages 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 eighth 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 said company, after said bridge shall have been completed.

SECT. 14. *And be it enacted*, That the said president, directors and company 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 among all the stockholders of 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 the said bridge, and shall, on every first Monday in May and November in each and every year, publish the dividend to be made of the said clear profits thereof amongst 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.

SECT. 15. *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 com-

missioners 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.

SECT. 16. *And be it enacted*, That the said company shall not employ any of their funds in any banking or insurance operations.

SAM'L. ANDERSON,
Speaker of the House of Representatives.

JESSE R. BURDEN,
Speaker of the Senate.

APPROVED—The eleventh day of February, A. D. one thousand eight hundred and thirty-three.

GEO. WOLF.

No. 20.

AN ACT

To enable the Governor to incorporate the Harrisburg water 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 John Forster, Jacob M. Haldeman, Robert Harris, John M. Forster, William Graydon, Frederick Kelliker, James Lesley, Abraham Bombaugh, Francis R. Shunk, Henry Buehler, Luther Reiley, Hugh Hamilton, George Geiger, Joseph B. Henzey and Isaac Updegraff, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, they, or any three of them, shall procure a book or books, and therein enter as follows: We whose names are hereunto subscribed, do promise to pay to the president and managers of the Harrisburg water company the sum of twenty dollars for each and every share of stock set opposite to our respective names, in such manner and proportions and at such times as shall be determined by the said president and managers, in pursuance of an act of the General Assembly entitled An act

Commissioners appointed to open books, &c.

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