

No. 155.

AN ACT

To authorise the Governor to incorporate a company to erect a bridge over the river Juniata, opposite Montgomery street, in the borough of Huntingdon.

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 William Dorris, Daniel Africa, esquire, John Whitiker, junior, William Jackson, John McCahan, David McMurtree, Peter Swope, junior, James Simpson, James Steel, David Sneer, Thomas King and James M. Bell, esquire, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, they shall on or before the first day of June next, procure one or more books, and therein enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers and company for erecting a bridge over the river Juniata, opposite Montgomery street, at the borough of Huntingdon, the sum of fifty dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers, in pursuance of an act of the general assembly, entitled "An act to authorise the Governor to incorporate a company to erect a bridge over the Juniata river, at the borough of Huntingdon," and shall thereupon proceed to receive subscriptions for the stock of the said company, at such times and places as they shall think proper: *Provided always,* That every person so subscribing in his own name or in the name of any other person, shall previously pay to the attending commissioners five dollars for every share so subscribed, out of which shall be paid the expenses of taking such subscriptions, and other incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, agreeably to the provisions of this act.

Commissioners to open books.

Form of subscription.

\$50 per share.

Proviso.

\$5 on each share at subscription.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when fifteen or more persons shall have subscribed sixty shares of the said stock, the said commissioners shall certify under their hands and seals, to the Governor of the commonwealth, the names of the subscribers and the number of shares subscribed, and thereupon it shall and may be lawful for the Governor, by letters

When 15 persons take 60 shares, charter may issue.

Title.	<p>patent under his hand and the seal of the state, to create and erect the said subscribers, and also all those who may afterwards subscribe, into one body politic and corporate, in deed and in law, by the name, style and title of "the president, managers and company for erecting a bridge over the river Juniata, at the borough of Huntingdon," and by the said name the said subscribers shall have perpetual succession, and all 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 taking, purchasing and holding to them and their successors, in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary and convenient to them, in the prosecution of their works, and the same to sell and dispose of at their pleasure, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.</p>
Privileges, liabilities, &c.	<p>SECT. 3. <i>And be it further enacted by the authority aforesaid,</i> That the first five named persons in the letters patent, shall, as soon as conveniently may be after sealing the same, give notice in all the newspapers of the county of Huntingdon, of a time and place to be by them appointed, not less than thirty days from the time of issuing the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot, either in person or by proxy duly authorised, one president and six managers and one treasurer, and such other officers as they may think necessary to conduct the business of the said company for one year, and until other officers shall be chosen, and may make such by-laws, rules and regulations, not inconsistent with the laws of this commonwealth, as shall be necessary for the well ordering the affairs of the said company: <i>Provided always,</i> That each person shall be entitled to one vote for every share less than six, and that no share above six shall confer any right to voting at any of the meetings of the said company.</p>
First election, organization, &c.	<p>SECT. 4. <i>And be it further enacted by the authority aforesaid,</i> That the stockholders shall meet on the first Monday in May in each succeeding year, at such place as shall be fixed by the rules and orders of the said company, to be made as aforesaid, for the purpose of choosing such officers as aforesaid for the ensuing year.</p>
President, 6 managers, treas'r, &c.	<p>SECT. 5. <i>And be it further enacted by the authority aforesaid,</i> That the president and managers first to be chosen as</p>
By-laws, &c.	
Provided.	
One vote each share up to 6.	
Annual meeting of stockholders.	

aforesaid, shall procure printed certificates for all the shares of stock of the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer and sealed with the seal of the corporation, to each subscriber, for the share or shares subscribed and held by him, on paying to the treasurer, in part of the sum due on each share so held, the sum of twenty dollars, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, subject to the payment of the sum due and to become due on each share so transferred, and the assignee holding such certificate, having first caused the assignment to be entered on the books of the company kept for that purpose, shall become a member of the corporation.

Certificates of stock.

How transferable, &c.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the president and managers shall meet at such times and places, and be convened in such manner, as shall be agreed on for transacting their business, and 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 fix their salaries and other wages, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, in order to carry on their work; to draw orders on the treasurer for all monies, to pay the salaries of persons by them employed, and for the materials provided and labor done, and which shall be signed by the president or in his absence by a majority of a quorum, and countersigned by their clerk, and to do and transact all other such acts, matters and things as by the by-laws, orders and regulations of the said company shall be committed to them.

Duties of president & managers.
5 a quorum.

To appoint officers, &c.

Orders on treasurer.

SECT. 7. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice given in the newspapers of the county of Huntingdon, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of forty days after the time so appointed, every such stockholder or his assignee, shall, in addition to the instalment so called for, pay at the rate of two per centum per month for every delay of such payment, and if the same and the additional penalties shall remain unpaid for such space of time that the accumulated penalties shall become equal to the sums before paid on

Penalty on delay of payment of instalments.

Shares may
be forfeited.

account of such shares as such stockholder may hold, the same shall be forfeited to the said company, and may be sold to any person or persons, and for such price as can be obtained therefor.

President
and man-
agers to keep
accounts &c.

SECT. 8. *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 monies received by them, from the said commissioners, and from the subscribers to the said undertaking, and of all penalties for delay in the payment of stock, and of the amount of the profits on shares that may be forfeited as aforesaid, and of all voluntary contributions, and also of all monies by them expended in the prosecution of the said work, and shall at least once in every 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, and if upon such liquidation or whenever the stock of the said company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete the said bridge, according to the true intent and meaning of this act, it shall and may be lawful for the president, managers and company, at a stated or special meeting to be convened according to the provisions of this act or their own by-laws, to increase their number of shares to such extent as shall be deemed sufficient to accomplish the work and to demand and receive the moneys subscribed for such additional shares, in like manner and under the like penalties as are hereinbefore provided for the original subscription.

Annual state-
ment to
stockholders

May increase
stock.

SECT. 9. *And be it further enacted by the authority aforesaid,*

That when a complete bridge is erected over the river Juniata, at the borough of Huntingdon aforesaid, the property of the said bridge shall be vested in the said company as aforesaid, their successors and assigns forever, and the said company, their successors and assigns, may demand and receive toll from travellers and others, agreeably to the following rates, to wit: For every coach, landau, chariot, phaeton, and other pleasureable carriages, with four wheels, twelve and one half cents for each horse drawing the same; for every wagon with four wheels and four horses, fifty cents, and for each additional horse drawing the same five cents, and for every carriage of the same description, drawn by two horses, twenty-five cents; for every chaise, riding chair, sulky, cart or other two wheeled carriage, or a sleigh or sled with two horses, twenty cents, and for the same with one horse fifteen cents; for a man and horse six cents; for every led horse or mule six cents; for every foot

Rates of toll.

passenger one cent; for every head of horned cattle two cents; for sheep or swine one cent each; and in fixing the toll of all carriages to be drawn wholly by oxen or partly by horses and partly by oxen, two oxen shall be estimated equal to one horse: *Provided*, That any person or persons attending funerals, any detachment of the military of this state or of the United States, or militia attending their duty on days of training, all persons attending divine service on the Sabbath day, and students and children attending any school or seminary of learning, shall at all times be exempted from paying said tolls, and that the said bridge shall in no wise injure, stop or interrupt the navigation of the said river, or prevent boats from crossing or persons from fording the said river.

SECT. 10. *And be it further enacted by the authority aforesaid*, That if the said company their successors and assigns, or whoever may own or possess the said bridge, shall collect or demand any greater rates or prices for passing over the said bridge, than what is 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 fifteen dollars, one moiety thereof for the use of the poor of the borough of Huntingdon, and the other moiety for the use of the person who may sue for the same: *Provided*, That no suit or action shall be brought unless within thirty days after such offence shall have been committed.

SECT. 11. *And be it further enacted by the authority aforesaid*, That the said president, managers and company shall keep a just and true account of all money received by the several and respective collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof, amongst all the stockholders, deducting first therefrom all contingent costs and charges, and such proportions of the said income as may be deemed necessary for a growing fund, to provide against the decay and for the rebuilding and repairing the said bridge, and shall on the first Monday in May and November in every year publish the dividend 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.

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.

Proviso.

Who may
pass toll free.

Bridge not
to injure
navigation
or fording.

Penalty on
charging
higher toll,
or not keep-
ing bridge
in repair.

Proviso.
Suits must
be brought
within 30
days.

Dividends.

To be pub-
lished semi-
annually.