

be reduced so as not to exceed the twelve per cent. aforesaid.

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

THO'S. RINGLAND,  
*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini, eighteen hundred and thirty-three.

GEO. WOLF.

No. 146.

AN ACT

To authorize the Governor to incorporate a company to erect a toll bridge over Redbank creek, at or near where the road from Bedford to Franklin crosses said creek, in the county of Armstrong.

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 James E. Browen, Archibald Dickey, jr. Fred-

erick Cristman, David Lawson, Alexander Duncan, Sydle Lobaugh, George Means, Thomas Pollok, James Parker, Charles Evans, Samuel C. Orr, Elijah Heath, Thomas Lucas, Joseph Rankin, John Rimer, John Mechling, James Ross Snowden and Andrew M'Coslin 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 July 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 Redbank creek, at or near where the road from Bedford to Franklin crosses said creek in the county of Armstrong, the sum of ten 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, authorizing the Governor to incorporate a company to erect a toll bridge over said creek, as aforesaid;" and thereupon shall proceed to receive subscriptions for the stock of the said company, at such times and places as they may think proper.

Form of subscription.

Shares ten dollars each.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when fifteen or more persons shall have subscribed one hundred 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 patent, under his hand and the seal of the state, to create and erect the said subscribers, and also all those who may hereafter subscribe, into one body corporate and politic, in deed and in law, by the name, style and title of "The president, managers and company for erecting a bridge over Redbank creek, at or near where the road from Bedford to Franklin crosses said creek in the county of Armstrong," 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.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the first five named persons in the letters patent shall, as soon as conveniently may be after sealing the same, give notice in any two of the newspapers of the county of Armstrong, of a time and place to be by them appointed, not less than twenty 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 authorized, one president and six managers, and one treasurer, and such other officers as they may think necessary to conduct the business of 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: *Provided,* That each person shall be entitled to vote for every share less than six, and that no share above six, shall confer any right to vote at any of the meetings of said company.

Upon subscription by 15 persons of 100 shares, charter may issue.

Style of corporation.

Privileges & liabilities.

Of the manner of organizing corporation.

Prest. 6 managers, treasurer, &c.

Proviso. Each share up to 6 to have one vote.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the stockholders shall meet on the first Monday in January, 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.

Time, &c. of holding annual elections

SECT. 5. *And be it further enacted by the authority aforesaid,* That the president and managers, first to be chosen as 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 held by him, on paying to the treasurer the amount of each share so held, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer, 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 to be issued.

Mode of transfer.

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 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 moneys, 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 and countersigned by their clerk, and to do and transact all other acts, matters and things as by the by-laws, orders and regulations of the said company shall be committed to them.

General powers of the president and managers.

SECT. 7. *And be it further enacted by the authority aforesaid,* That if any stockholder, after thirty days notice given in two of the newspapers of Armstrong county, of the time and place of paying any instalment which may be called for, shall neglect to pay instalment, it shall and may be lawful for the treasurer of said bridge company to sue for the same, in the name of the president and managers of said company, and recover the same as debts of like amount are now recoverable.

Of the collection of the stock instalments.

Annual state-  
ment of ac-  
counts to  
stockholders.

Of the in-  
crease of  
capital.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the president and managers of said company shall keep fair and just accounts of all moneys received by them from the said commissioners, and from the subscribers to the said company, and also all moneys by them expended in the prosecution of 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 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 like penalties as hereinbefore provided for the original subscription.

Rates of toll  
authorized.

SECT. 9. *And be it further enacted by the authority aforesaid,* That when a complete bridge is erected over the said creek, at the place aforesaid, the property of the said bridge shall be vested in the company 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 carriage of whatever description used for the purpose of trade, agriculture or carrying the mail, having four wheels, for each horse drawing the same, four cents; for every such carriage having two wheels, for each horse drawing the same, three cents; for every carriage of whatever description used for the purpose of personal accommodation or pleasure, having four wheels, for each horse drawing the same six cents; for every dearborn wagon and for every chair or other two-wheeled carriage of pleasure, for each horse drawing the same, eight cents; for every sleigh or sled, for each horse drawing the same, four cents; for every horse with a rider, four cents; for every horse without a rider, three cents; every carriage drawn by oxen or partly by horses and partly by oxen, to be rated in proportion of two oxen for one horse, and in all cases a mule shall be rated the same as a horse; for every score of sheep or swine, six and one-fourth cents; for every head of horned or muley cattle, one cent; and for every foot passenger, two cents: *Provided,* That any person or persons attending funerals, going to or returning from divine worship, all persons going to or returning from elections or mili-

Proviso.  
Who may  
pass toll free.

tary trainings and students or children attending school or seminary of learning, shall at all times be exempt from the payment of any toll.

SECT. 10. *And be it further enacted by the authority aforesaid,* That if the said company, their successors and assigns or whoever may possess or own the said bridge, shall demand or receive any greater rates or prices for passing over the said bridge, than 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 ten dollars, one moiety thereof, for the poor of the township in which said bridge may be situate, 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.

Penalty for extortion or neglect.

Proviso. Suits to commence within 30 days.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the president, managers and company, shall keep a just and true account of all money received by the several 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 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 re-building and repairing the said bridge, and shall on the first Monday in April and October, 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.

Dividends to be declared semi annually.

Contingent fund to be formed, &c.

SECT. 12. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of Armstrong county, to subscribe for the use and in behalf of said county, to the stock of the aforesaid bridge company, in like manner as is herein provided for other persons, and the board of commissioners and their successors, of the said county, subscribing as aforesaid, shall be ex-officio managers in the said bridge company.

Authority to comm'rs. of Armstrong co. to subscribe stock and act as managers.

SECT. 13. *And be it further enacted by the authority aforesaid,* That when the dividends of said company, shall exceed twelve per cent. one half of the excess shall be paid into the State Treasury, for the purposes of education.

Half of dividends over 12 per ct. to go to education fund.

SAM'L. ANDERSON,

*Speaker of the House of Representatives.*

THO'S. RINGLAND,

*Speaker of the Senate.*

APPROVED—The eighth day of April, Anno Domini, eighteen hundred and thirty-three.

GEO. WOLF.