certified copy from the record, shall be as good evidence as the original paper; no new risks shall be taken or insured by the company, after the passage of this law, but the direction shall be kept up according to the charter, until a final dividend shall be made, and then the charter shall be deemed and taken to be extinct.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.
WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-fifth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 256.

AN ACT

To incorporate the White Haven Lehigh bridge company.

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 H. Taylor, Lucius Blakslee, Isaac Ripple, Joseph Yardley, John Brown, George M. Hollenback, Edward Lockwood, Abiathar Tuttle, David Dean, Joseph D. Murray, Oliver H. Taylor, Isaac Gould and Stephen Gould, be and they are hereby appointed commissioners, who shall be authorized to receive subscriptions to the capital stock hereby created, at such time or times, and place or places as they or a majority of them may direct, giving notice thereof in a newspaper printed in the county of Carbon, and in a newspaper printed in the county of Luzerne, in this state, for at least twenty days of the time or times and place or 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 upon each share subscribed for to the commissioners, or some one of them, which money shall be paid over to the treasurer of said company, as soon as one shall be appointed, and that the residue of said 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.

Commissioners.

Notice of subscription.

SECTION 2. That when forty shares are subscribed for, the persons holding the same shall be and they are hereby incorporated into a company, by the name of the White Haven Lehigh bridge company, and by that name shall have perpetual succession, and all privileges and franchises incident to a corporation, 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 should

Name.

Privileges and franchises.

Proviso. be found necessary to fulfil the intent of this act: *Provided*, Such increase does not with the original subscription, exceed the amount of seven thousand five hundred dollars; 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 or 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, pleading and be impleaded in all courts of justice whatever.

Capital stock. SECTION 3. That the capital stock of the said White Haven Lehigh bridge company shall be five thousand dollars, and that the same shall be divided into shares of twenty-five dollars each; and the subscribers to said capital stock shall pay the sum or sums of money for the share or shares by them respectively subscribed, at such period, and in such instalments as the directors of said company may determine.

SECTION 4. That as soon as forty shares of the said capital stock shall be subscribed as aforesaid, it shall be the duty of the commissioners to give notice in one or more of the newspapers printed in the county of Luzerne, in the state of Pennsylvania, and in one or more printed in the county of Carbon, in this state, of the time of a meeting of the stockholders at White Haven, in the county of Luzerne aforesaid, not less than thirty days from the time of issuing the said notice, at which time and place the said stockholders shall proceed to organize the said company, and shall choose by ballot, 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, until other officers shall be appointed; and the said president and directors may make such by-laws and regulations, not inconsistent with the laws or constitution of this state, or of the United States, as shall be necessary for the well ordering of the affairs of the said company, and fixing upon the site or location of said bridge; and that each stockholder shall be entitled to one vote to each share of stock by him or her held, at the time of such elections.

Meeting.

Organization.

By-laws.

Votes.

Annual meeting. SECTION 5. That the stockholders shall meet on the first Monday in November in every year, at such place as shall be fixed by the by-laws of said company, for the purpose of choosing such officers for the ensuing year.

Certificates. SECTION 6. That the president and directors first to be chosen as aforesaid, shall issue certificates of stocks to the several stockholders, respectively, signed by the president, and countersigned by the treasurer of said company, which certificates shall be transferable at the pleasure of the holder, in person or by attorney, subject, however, to the payments due and that may grow due thereon; and the assignee holding any such 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 just proportion of the said capital stock, and of all the estate and emoluments of the company, and to vote at the meeting thereof as aforesaid.

Transferable.

SECTION 7. 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 shall have full power and authority to agree with, and appoint such engineers, superintendents, artists and other agents as

Quorum.

Engineers, &c.

they shall think necessary to construct the said bridge, and to complete the same, and fix their salaries, and to determine the time, manner and instalments 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 which by this act, and the by-laws or regulations of the said company, shall be lawful.

SECTION 8. That it shall and may be lawful for the president and directors aforesaid, their superintendents, engineers and workmen, to enter into and upon all lands and enclosures near the place where the said bridge is to be built, and to examine the ground for the purpose of obtaining stone, gravel or sand necessary for the building of said bridge; and it shall and may be lawful for the said directors, or any person employed in building said bridge, to enter thereon with wagons, carts, sleds or sleighs, or beasts of burden or draught of any kind whatsoever, first giving notice to the owners, doing as little damage as possible, and repairing any breaches of fences they may have occasion to make, and having first made amends for any damage that may be done; which damage shall be ascertained by the parties, if they can agree, or if they cannot agree, then by the appraisement thereof, to be made upon oath or affirmation of three disinterested freeholders of the neighborhood, or any two of them, to be mutually chosen; or if either party, upon due notice, shall neglect or refuse to join in the choice, then the said freeholders to be appointed by any justice of the peace of the county, not interested on either side; and the said directors, or other persons by them employed as aforesaid, after the tender of the appraised value to the owner, may enter and dig, take and carry away, any stone, gravel, sand or earth, most conveniently situated for making and repairing said bridge.

Power to enter upon lands.

Damages assessed and paid.

SECTION 9. That the president and directors of the said company shall keep just and fair accounts of all moneys received by them from the said commissioners, and from the stockholders, and of the amount of the profits on shares that 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 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.

Accounts.

SECTION 10. That when a good and complete bridge is erected over the said river Lehigh, at the place aforesaid, the said company, their successors and assigns, may demand and receive toll from travellers and others crossing the same, not to exceed the following rates: For every coach, landau, chariot, phæton or other pleasure carriages, with four wheels, drawn by four horses, the sum of fifty cents; for the same carriages, with two horses, the sum of thirty-seven and one-half cents; for every wagon, with four horses, the sum of thirty-seven and one-half cents; for every carriage of the same description, drawn by two horses, the sum of twenty-five cents; for every chaise, riding chair, sulkey, cart, or other two wheeled carriage, or a sleigh or sled, with two horses, the sum of twenty-five cents; for the same, with one horse, the sum of fifteen cents; for a single horse and rider, the sum of twelve and one-half cents; for every led or driven horse or 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

Tolls.

sum of one cent: *Provided*, That the said company shall have power to estimate every ox, mule, or other beast of burden, when harnessed to draught carriages, equal to a horse under similar circumstances; and shall cause to be put and kept up in some conspicuous place, at the gates of said bridge, a list of the said rates of toll: *Provided*, That the said bridge shall be erected at such place and in such manner as will not injure or obstruct the navigation of the Lehigh river, nor in any manner interfere with or obstruct the travel on the Lehigh and Susquehanna railroad.

Penalty for injuring work.

SECTION 11. That if any person or persons shall wilfully cut, destroy or break, or remove from off the said bridge, or any part thereof, any piece of timber, plank, stone, chain, bolt, 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, in any court having cognizance thereof.

Penalty for exacting too great toll.

SECTION 12. That if the said company, their successsrs or assigns, or whosoever shall own or possess the said bridge, shall collect or demand any greater rate or prices for passing over the said bridge than 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, with costs of suit, one-third thereof for the use of the poor of the township of Denison, in the county of Luzerne, and state of Pennsylvania, and one-third thereof for the use of the poor in the township of Penn Forest, in the county of Carbon, in the aforesaid state, 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 for such offence, unless within sixty days after the same shall have been committed.

Proviso.

Dividends.

SECTION 13. 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 among all the stockholders of said company, deducting first therefrom all contingent costs and charges, and such proportions of said income as may be deemed necessary for a growing fund to provide for re-building and repairing the said bridge; and shall, on the first Monday in May and November, in each and 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.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-fifth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.