

No. 220.

A N A C T

To authorize the incorporation of a company to erect a bridge over the Juniata river at Newport, Perry county.

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 Samuel Leiby, John Fickis, Robert Mitchell, John W. Bosserman, Benjamin M'Intire, William Cumler, Abram B. Demaree, Kirk Hains, John Wiley, John Patterson, James Jackman, William Wallace, John Kibler and Benjamin Musser, of Perry county, be and they are hereby appointed commissioners to perform the duties hereinafter mentioned, that is to say: They or a majority of them, shall, on or before the first day of August next, provide one or more books for the entering of subscriptions, and shall write therein, as follows: "We, whose names are hereunto subscribed, do promise to pay to the president, managers and company, for erecting a bridge over the Juniata river, at the town of Newport, Perry county, the sum of twenty 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 of said company, in pursuance of an act of the general assembly, entitled 'An Act to incorporate a company for the purpose of erecting a bridge over the Juniata river, at the borough of Newport, Perry county.' Witness our hands this day of , one thousand eight hundred and forty-five;" and the said commissioners or a majority thereof, shall thereupon give notice in one of the newspapers printed in the county of Perry, during one calendar month at least, of the times and places when said books shall be opened to receive subscriptions, at which times and places some one or more of the said commissioners shall attend for that purpose, and keep open the said books during six hours in each place, four successive juridical days, or until fifty shares shall be subscribed; and if said fifty shares shall not be subscribed within that period, then the said attending commissioners may adjourn from time to time, until the said number of shares shall be subscribed, of which adjournment, public notice shall be given by means of the newspapers aforesaid, or in others, as occasion may require; and when fifty shares shall have been subscribed, the books shall be closed.

SECTION 2. That as soon as fifty shares shall be subscribed, and five dollars paid on each share so subscribed to the said commissioners, then said commissioners, or a majority of them, shall certify the same, together with a list of the subscribers, and the shares by each subscribed, and that the sum of five dollars has been actually paid on each share, in writing to the governor, who, thereupon, shall constitute the said subscribers, and also, all those who may in future subscribe under the provisions of this act, a body corporate, by the name of "The president, managers and company, for erecting a bridge over the Juniata river, at the borough of Newport, Perry county," with all the privileges incident to such a corporation, who shall have perpetual succession, and shall be capable of taking and holding their said capital stock, and the increase

thereof, and of enlarging the same by new subscriptions, if such enlargement be necessary to fulfil the purposes of this act.

Organization. SECTION 3. That the six persons first named in the letters patent of incorporation, shall, as soon as conveniently may be after sealing the same, give notice in the newspapers aforesaid, of a time and place by them to be 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 corporation, and shall choose, by a majority of votes of the said subscribers, taken by ballot, to be delivered either in person or by proxy, duly authorized, one president, five managers, and one treasurer, and such other officers as they may deem necessary to conduct the business of the company during one year, or until other officers be chosen; and the said company may make such by-laws, rules, orders, and regulations, not inconsistent with the laws of this commonwealth, as may be necessary for the well ordering of the affairs of the said company; and as soon as the said corporation is so organized, the commissioners shall pay over to the treasurer the sums paid to them, at the time of subscription, and the corporation shall pay to the said commissioners all reasonable expenses which may have attended the taking such subscriptions: *Provided however*, No person shall have more than ten votes, whatever number of shares he may hold in said company, and each person shall have one vote for each share of stock he may hold less than ten shares.

Officers.

Proviso.

Annual meeting. SECTION 4. That a public meeting of the said stockholders shall be held on the first Monday in October next, and on the first Monday of October, in each year thereafter, at such place as the rules and by-laws of said company shall fix, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of the company; public notice of the time and place of holding elections, to be given in the newspapers aforesaid, at least one month before the time thereof.

Certificates of shares. SECTION 5. That the president and managers shall procure printed certificates of all the shares of stock in said company, which shall be signed by the president, countersigned by the treasurer, and sealed with the seal of the company; and each subscriber shall be entitled to one such certificate for each share by him subscribed for, on paying to the treasurer the full amount of twenty dollars, which certificate shall be transferable, either by the owner in person, or by his attorney duly authorized, in the presence of the president or treasurer for the time being; and the person to whom said certificate shall be transferred, shall stand in the place of the former holder of the certificate, and shall be entitled to the same privileges in the company.

Transferable.

Gates. SECTION 6. When the said bridge is completed as aforesaid, the property of said bridge, and its appendages, shall be vested in the said company as aforesaid, their successors and assigns forever; and it shall and may be lawful for said company, their successors and assigns, to erect a gate or gates, and such other buildings as they may deem necessary for a residence of a toll collector, and to demand and receive toll from travellers and others at said bridge, agreeable to the following rates, to wit: For every carriage of whatever description, used for the purpose of trade or agriculture, having four wheels, for each horse drawing the same, eight cents; for every carriage having two wheels, for each horse drawing the same, eight 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, fifteen cents; for every dearborne wagon, drawn by one horse, twelve and a half cents; for every chaise, or other two wheeled carriage of

Tolls.

pleasure, for each horse drawing the same, twelve and a half cents; for every sleigh or sled, for each horse drawing the same, ten cents; for every horse, mare or gelding, with or without a rider, ten cents; for every person travelling on foot, three cents; for every carriage drawn by oxen, or partly by oxen and partly by horses, to be rated in the proportion of two oxen for one horse, and in all cases a mule shall be rated as a horse; for every score of sheep or swine, twenty cents; for every head of cattle, three cents; and in no case shall it be lawful for the owner or driver of any horses or cattle, to lead or drive more than twelve head on the said bridge at the same time: *Provided*, Proviso. That any person attending funerals, any military company or detachment of this state or of the United States, persons attending divine service on the Sabbath day, all persons going to and returning from any election or military training authorized by the laws of this state, and students or children attending school or other seminary of learning, shall at all times be exempt from the payment of any toll: *And provided further*, Penalty for driving faster than a walk. That if any person or persons shall wilfully ride, drive, or lead any horse or other animal faster than a walk, when crossing said bridge, he, she or they so offending, shall, for every such offence, forfeit and pay the sum of five dollars, to be recovered for the use of the company, as fines of like amount are by law recoverable.

SECTION 7. That the president, managers and company, shall have the same powers, authorities, and privileges for completing, maintaining, and keeping in repair the said bridge, and for fixing the rates of tolls and collecting the same, and be subject to the same duties, qualifications, restrictions, penalties, fines and forfeitures, as are given and granted, or imposed upon the president, managers and company, incorporated to erect a bridge over the Juniata river, at the town of Millers-town, approved the fourteenth day of April, Anno Domini, one thousand eight hundred and thirty-eight, entitled "An Act for the incorporation of the several bridge companies, and for other purposes." Powers, privileges, restrictions, &c.

FINDLEY PATTERSON,
Speaker of the House of Representatives.
WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The seventh day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.