

SECTION 5. It shall be lawful for the said Harrisburg bridge company, and the Cumberland Valley railroad company, to unite in building a bridge over the Susquehanna river, at Harrisburg, that may be adapted to the use and purposes of both the said companies, on such terms as they may agree on; and if it shall be deemed expedient by the said Harrisburg bridge company, and Cumberland Valley railroad company, to avoid the unnecessary expense of erecting and keeping up two bridges over the said river, at Harrisburg, for the accommodation of the common travel, it shall be lawful for either of the said companies, for such consideration or compensation as may be mutually agreed on by the said companies, to grant and relinquish to the other the exclusive right to accommodate all the said common travel passing over the said river, at Harrisburg, so far as said exclusive right may be vested by law in either of the said companies.

SECTION 6. This act shall not take effect until the same shall have been approved and accepted by the said company, at a meeting of the stockholders thereof, convened for the purpose of considering the same; a certificate of which approval and acceptance, signed by the officers of the said meeting of stockholders, shall be filed in the office of the secretary of the commonwealth.

When this act to take effect.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 261.

AN ACT

Authorizing the governor to incorporate a company for erecting a wire suspension tripartite bridge over the Allegheny and Monongahela rivers, at their confluence, opposite Pittsburg, in the county of Allegheny.

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 David Shields, Alexander Carnahan, James Cuddy, James Carter, Jeremiah Danlavy, J. F. Wrenshall, Ezekiel Harker, William Lee, Stephen Woods, senior, J. C. M'Cabe, James M'Cully, M. D., William Marks, James M'Donnell, John Sampson, William Leckey, John Cheny, R. S. Cassett, esquire, Hugh Davis, Thomas Bakewell, J. B. Butler, John Willock, John Caldwell, John Warden, George W. Jackson, Samuel M. Wickersham, Wilson M'Candless, Walter H. Lowrie, James Woods, N. B. Craig, Samuel Jones, A. K. Lewis, of Allegheny county; Joshua Stoolfire and Jacob Mechling of Butler

Commissioners.

Duty.	county; Andrew Purdy, Samuel M'Farren, David Ramsey, James Sterling, John Ewing and Thomas Anderson, of Beaver county; and Edward M'Donald, John Park and William M'Daniels, of Washington county, be and they are hereby appointed commissioners to do and perform the several duties hereafter mentioned, that is to say: they shall, on or before the first day of May next, provide a book or books for the entering of subscriptions, and shall write therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the Pittsburg tripartite bridge company, the sum of fifty dollars for each and 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 on by the president and managers, in pursuance of an act of the general assembly, entitled 'An Act authorizing the governor to incorporate a company for erecting a wire suspension tripartite bridge over the Allegheny and Monongahela rivers, at their confluence, opposite Pittsburg, in the county of Allegheny.' Witness our hands this day of in the year of our Lord, one thousand eight hundred and ;" and
Form of subscription.	
Notice.	shall thereupon give notice in two or more of the public newspapers printed at Pittsburg, during one calendar month at least, of the times and places, when and where the said books shall be open to receive
To open books.	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 of three successive days, and until at least one thousand, and not more than five thousand shares, shall be subscribed; and if one thousand shares shall not be subscribed within that period, then the said 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 newspapers; and when one thousand shares shall have been subscribed, public notice thereof shall be given in at least two of the newspapers printed at Pittsburg: <i>Provided</i>, That every person on entering his or her name in the said books as a subscriber, shall pay five dollars on each share, he or she shall subscribe, as a fund, out of which shall be defrayed the expenses attending the taking of 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; such first payment, on each share, to be taken and considered as a part payment on each share subscribed for; and in case any person shall fail to pay the balance of the stock subscribed by him or her, he or she shall be liable to an action for the same, with interest, in addition to the other means hereinafter provided for enforcing the payment thereof.
Proviso.	
Letters patent.	SECTION 2. If, at the expiration of said three days, one thousand shares shall have been subscribed, the said commissioners or a majority of them, may certify the same, together with a list of the subscribers, and the shares subscribed by each, 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 or politic, by the name and style of the "Pittsburg tripartite bridge company," with all the privileges incident to a corporation, who shall have perpetual succession, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same by new subscriptions, if such enlargement shall be necessary to fulfil the purposes of this act; and of purchasing, taking and holding to them and their successors and assigns, in fee simple or for any less estate, such real and personal property as shall be found necessary and convenient to them in the prosecution of their work; and
Name.	
Privileges.	

the same to sell and dispose of at their pleasure, and of doing all and every other thing which a corporation or body politic may lawfully do.

SECTION 3. The three persons first named in the letters patent of incorporation, shall, as soon as conveniently may be after sealing the same, give notice in at least two of the public newspapers printed at Pittsburg, 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 in person or by proxy, duly authorized, one president, ten managers and one treasurer, to serve one year, or until others be duly chosen in their stead; and may then and at any other meetings, make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this state, or of the United States, as may be necessary for the well ordering the affairs of the company: *Provided*, That no person shall have more than one vote for each share not exceeding five shares, by him or her held; and one vote for every two shares above five, and not exceeding ten; and one vote for every four shares above ten, and not exceeding twenty; and one vote for every six shares above twenty: *Provided*, That no stockholder shall have more than twenty votes.

Organization.

Officers.

By-laws.

Proviso.

Votes.

Proviso.

SECTION 4. The provisions of the fourth, sixth, seventh, ninth, eleventh, twelfth and thirteenth sections of the act, entitled "An Act authorizing the governor to incorporate a company for erecting a bridge over the Allegheny river, opposite Pittsburg, in the county of Allegheny, approved the twentieth day of March, one thousand eight hundred and ten;" and the provisions of the fifth, seventh and eighth sections of the act, entitled "An Act relative to the building of certain bridges over the Monongahela and Allegheny rivers, opposite Pittsburg, approved the seventeenth day of February, one thousand eight hundred and sixteen," are hereby extended to the company to be formed under this act, and are incorporated and made part of the same: *Provided*, That not less than a majority of the board shall constitute a quorum.

Provisions of certain acts extended to this company.

SECTION 5. The president and managers shall procure printed certificates for all the shares of stock in the said company, which shall be signed by the president, countersigned by the treasurer, and sealed with the seal of the corporation; and each subscriber shall be entitled to one such certificate, for each share by him or her subscribed for, on paying to the treasurer, in part of the sum due thereon, twenty dollars on each share; which certificates shall be transferrable, either by the owner in person, or by his attorney, duly authorized, in the presence of the president or of the treasurer, for the time being, subject, however, to the payments due, or that may grow due thereon; and the persons to whom such transfer shall be made, shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

Certificates of stock.

Transferable.

SECTION 6. The wire suspension tripartite bridge, to be erected in pursuance of the provisions of this act, shall be built at the junction of Duquesne Way and Water street, in the city of Pittsburg, and shall terminate at such points, on the opposite banks of said rivers, respectively, as to the president and managers of said company shall seem most suitable to the public interests; and that part of the said bridge, which shall be connected with the said city, shall run out upon the bar, below the junction of said Duquesne Way and Water street, to a central pier or abutment, to be placed at such distance from the junction of said Duquesne Way and Water street, as in the opinion of said president and managers shall be most suitable for the erection of said tripartite bridge; and that part of said bridge, running from the said central pier

Location of bridge.

Construction.

to the opposite side of the Monongahela river, shall consist of but one span, not less than seven hundred and fifty feet in length; and that part of the said bridge, running from the said central pier to the opposite side of the Allegheny river, or to Kilbuck island, shall consist of but two spans—the first of which, from said central pier, shall be not less than six hundred feet long; and from the termination of said second span, and over the low ground on the said opposite side of the Allegheny river, the said bridge shall be completed by such erection or causeway as will be suitable to connect it with the high ground on the bank of said river.

Height of
bridge.

SECTION 7. That part of the said tripartite bridge which shall cross the steamboat channel of the Monongahela river, shall be erected at a height of at least seventy feet above a ten feet stage of water, according to the present ordinary mode of estimating the same; and that part of the said tripartite bridge which shall cross the steamboat channel of the Allegheny river, shall be erected at a height of at least fifty feet above a ten feet stage of water, according to the present ordinary mode of estimating the same.

Time of com-
mencement and
completion.

SECTION 8. The said company shall proceed to carry on the said tripartite bridge within five years after the passage of this act, and shall, within ten years from the passage thereof, complete the same, otherwise it shall and may be lawful for the legislature of this commonwealth, to resume all and singular the rights and privileges hereby granted to the said company.

Reservation.

SECTION 9. The legislature reserves the power to alter or repeal this charter whenever in their opinion it shall be necessary so to do: *Provided however*, That no injustice shall be done to the corporators.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The eighth day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 262.

A N A C T

To incorporate the Pennsylvania railroad company.

Commissioners.

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 Thomas P. Cope, Robert Toland, William M. Meredith, A. S. Roberts, John K. Kane, John B. Myers, Henry Welsh, John M. Atwood, Henry D. Gilpin, John A. Brown, George Cadwallader, Thomas M. Pettit, George W. Toland, A. J. Lewis, A. G. Ralston, David S.