employ, shall receive the sum of one dollar per day for their services.

SECTION 3. The expenses attending the execution of the duties enjoined on the commissioners as aforesaid appointed, shall be paid one half by the county of Perry, and the other half by the county of Juniata, for which purpose the county commissioners are hereby authorized to draw warrants on their respective treasurers in favor of the said commissioners, chain carriers, and axemen, appointed to run the lines aforesaid. Expenses, how to be paid.

WM. PATTERSON,
Speaker of the House of Representatives.
JACOB KERN,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.

No. 186.

AN ACT

To incorporate the Chemung 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 the capital stock of the Chemung Bridge Company, shall amount to five thousand dollars, and that the same shall be divided into shares of twenty dollars each, and the subscribers to the said capital stock shall pay the sum or sums of money for the share or shares, by them repectively subscribed, at such periods and in such proportions as the directors of the said company may determine. Capital stock, $5000.

SECTION 2. That William Seely, Sturges Ssquire, Epenitus J. Webb, Isaac Cooley, Lathrop Baldwin, John L. Webb, and James Roberts, are hereby appointed commissioners who shall be authorized to receive subscriptions to the said capital stock at such times and places as they or a majority of them may direct, giving notice thereof in one newspaper printed in the county of Bradford for at least twenty days, of the times and places when and where the said subscriptions shall be received, and at the time of subscribing for the said stock, two dollars shall be paid upon each share subscribed for, to the commissioners or some of them, which money shall be paid over to the treasurer of the company as soon as one shall be appointed, and that the residue of the subscriptions shall be paid in such in- Commiss'rs. Public notice. $2 to be paid on each share.

stalments, and at such times and places, and to such persons, as the president and directors of the company shall from time to time direct, and give public notice of, and upon failure of payment thereof as so directed for thirty days thereafter, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the said instalments or any of them, to and for the use of the said company: *Provided*, That if the number of shares subscribed for, shall exceed the number of shares authorized by this act to be subscribed for, that then the said commissioners shall apportion the said stock among such subscribers, in proportion to the amount or number of shares by them subscribed as aforesaid.

Proviso.

SECTION 3. When sixty shares are subscribed for, the persons holding the same, they shall be and are hereby incorporated into a company by the name of the Chemung bridge company, and by that name shall have perpetual succession and all the 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 shall be found necessary to fulfil the intent of this act, 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 and personal, as may be necessary and convenient to them in the prosecution of their work, and the same to sell and dispose of at their pleasure, and of suing and being sued, and of doing all and every other matter and thing, which a corporation or body politic may lawfully do.

Name.

Capacities & privileges.

SECTION 4. As soon as sixty shares of the said capital stock shall be subscribed as aforesaid, it shall be the duty of the said commissioners to give notice in one of the newspapers printed in the county of Bradford, of a time and place by them to be appointed, 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 by a majority of votes to be delivered in person or by proxy, one president, five directors, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until other officers shall be appointed, and may make such by-laws and regulations not inconsistent with the laws of this State or of the United States, as shall be necessary for well ordering the affairs of the said company: *Provided always*, That no person shall have more than ten votes at any election or in determining any question arising at such meetings, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him or her held not exceeding ten.

Organization of company.

Proviso.

SECTION 5. The said stockholders shall meet on the first Monday in October in every succeeding year, at such place as

Subsequent meetings.

shall be fixed by the by-laws of said company, for the purpose of choosing such officers for the ensuing year.

SECTION 6. The president and directors first to be chosen aforesaid, shall issue certificates of stock to the several stockholders respectively, signed by the president and countersigned by the treasurer of the said company, which certificates shall be transferable at his or her pleasure, in person or by attorney, subject however to the payments due and that may grow due thereon; and the assignee holding any 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 held by him or her, be entitled to his or her equal proportion of the said capital stock and of all the estates and emoluments of the company, and to vote as aforesaid at the meetings thereof.

Certificates stock issued and transferable.

SECTION 7. 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 the business; at such meetings four 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 the construction of a bridge across the Chemung river, at or near where the same crosses the State line, at the third crossing thereof in Bradford county, and to complete the same, and to fix their salaries and other wages; to determine the time, manner and proportions 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, as by the by-laws or regulations of the said company shall be lawful.

Meetings of the president and directors, and their powers.

SECTION 8. Before the said president and directors shall proceed to erect the said bridge, it shall and may be lawful for them to contract and agree with the owner or owners of any lands and tenements for the purchase of so much thereof as shall be necessary for the purpose of erecting and perfecting the said bridge and for making and establishing all the necessary works and roads to and from the same, if they can agree with the owner or owners; but in case they cannot agree, then it shall and may be lawful for the said president and directors to apply to one of the judges of the court of Common Pleas of Bradford county, in the State of Pennsylvania, not being a stockholder or otherwise interested, who upon such application is hereby authorized and directed to appoint three discreet and disinterested freeholders, who after being duly sworn or affirmed before some judge or justice of the peace faithfully to perform the duties enjoined on them by this act, shall proceed to view and examine

To contract with the owners for lands, &c.

Proceedings in case they cannot agree.

the said banks and all such lands and tenements as shall be necessary for the purpose of erecting and perfecting the said bridge, and for making and establishing all necessary works and roads to and from the same, and shall according to the best of their skill and judgment, ascertain and estimate the injury and damage that will be sustained by the owner or owners of such lands and tenements so necessary to be taken as aforesaid, and shall report what sum shall be paid by the said company for the same, which report shall be made in writing under their hands or under the hands of any two of them, and shall return the same together with a map the metes and bounds of such lands and tenements to the court of Common Pleas of the said county of Bradford, next, after they shall have agreed upon and signed the same, and the said report having been confirmed by the said court of Common Pleas, shall be filed in the office of the clerk of the said court with the map aforesaid; and the said president and directors having paid the said owners respectively, the several sums awarded to be paid to them in and by the said report, together with the fees of the said arbitrators at the rate of two dollars to each, for every day employed in the said business, the said company shall be entitled to have and to hold to them and their successors and assigns forever, the said lands and tenements as fully and effectually as if the same had been granted to them by the respective owners thereof, and it shall and may be lawful thereupon and not before, for the president and directors to enter upon the said lands and tenements, and to commence and complete the said bridge.

President and directors to keep account of receipts & expenditures.

SECTION 9. The president and directors of the said company shall keep fair and just 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 may be forfeited as aforesaid, and of 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 the said bridge shall be completed and until all the costs, charges and expenses for effecting the same shall be fully paid, and the aggregate amount of all such expenses shall be liquidated and ascertained.

SECTION 10. When a good and complete bridge shall be erected over the said Chemung river, at or near 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 the same tolls from travellers, and others that are allowed by law to the president, managers and company of the toll bridge over the same river, at the town of Athens, in the said county of Bradford: *Provided always*, That no toll shall be charged for passing the said bridge in going to or returning from the following places, to wit: church or meeting for worship on Sundays, militia trainings, schools, general or township

Tolls.

Proviso.

of school district elections, and the said company shall so erect the said bridge as in no wise to injure, stop, or interrupt the navigation of the said river, or prevent boats and rafts from passing, or persons from fording the said river.

SECTION 11. If any person or persons shall wilfully destroy or remove from off the said bridge, or any part thereof, any piece or pieces of timber, plank or planks, stone or stones, chain or chains, bolt or bolts, or any other material whatsoever, belonging to said bridge or, otherwise wilfully or maliciously damage the same, he, she or they, so offending, shall forfeit for every such offence over and above the damages done to the said bridge, the sum of thirty dollars, to be recovered as debts of like amount are recoverable. Penalty for wilful injury to bridge.

SECTION 12. If the said company their successors or assigns, or whoever shall own or possess the said bridge, shall collect or demand any greater rate or prices for the passing over the said bridge, than what are hereinbefore prescribed, 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, one half thereof for the use of the poor of the township of Athens, and the other half part thereof for the use of the person who may sue for the same: *Provided always*, That no suit or action shall be brought, unless within ninety days after such offence shall be committed. Penalty for demanding or taking illegal toll, &c. Proviso.

SECTION 13. The said president, directors and company, 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 the said company, deducting first therefrom all contingent costs and charges, and such proportion of said income as may be deemed necessary for a growing fund to provide against the decay, and for the rebuilding and repairing of the said bridge, and shall on every first Monday in May, and November, in each and every year, publish the dividend to be made of the said clear profits thereof amongst the stockholders, and the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly. To keep true accounts and declare dividends.

SECTION 14. The said company shall not employ any of their funds in banking operations. Not to engage in banking.

WM. PATTERSON,
Speaker of the House of Representatives.
JACOB KERN,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.