

cause this act to be published in two newspapers in Philadelphia, two in Harrisburg, and two in Pittsburg.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-second day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER CII.

AN ACT

Incorporating the West Newton bridge company.

WHEREAS a number of the inhabitants of the county of Westmoreland, have associated together under the name and style of "The West Newton Bridge Company," for the purpose of erecting a bridge over the Youghiogheny at West Newton, in the county aforesaid, and have entered into articles of association for the government of the said company, and the commissioners therein mentioned have procured subscribers to nearly the whole amount of the capital stock, and they being desirous of being incorporated :

Therefore,

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 the subscribers to the association under the style of the West Newton Bridge Company, and those who may hereafter subscribe to the same, and their successors and assigns, shall be, and they are hereby made and created a body politic in law and in fact, under the name, style and title of "The West Newton Bridge Company," and by that name shall have perpetual succession, and all the powers, privileges and franchises incident to a corporation, and the following shall be the fundamental articles for the government of said company :*

Style of the company.

ARTICLE I.

Sect. 1. The site of the bridge shall be as near the centre of the square between Main and Vine streets, as the managers

Site of the bridge.

hereinafter to be appointed to carry the objects of the association into effect, shall deem best for the interest of the company: *Provided* it shall not be in their power to place it more than fifty feet from the centre either way.

ARTICLE II.

Sect. 1. The capital stock of the company shall consist, for the present, of ten thousand dollars, divided into one hundred shares of one hundred dollars each. Stock of the company \$10,000.

Sect. 2. The shares subscribed for shall be payable, one tenth part at the time of subscribing, to the commissioner authorised to receive subscriptions, in specie or in current bank notes, and the remainder in such instalments and at such times and manner as the directors hereinafter named shall direct: *Provided*, That no more than ten per cent. be called at any one time, and that notice of such call shall be given in the Greensburg and Indiana Register, and Greensburg Gazette, for one month before such call is payable. How and when the stock shall be paid. Proviso.

Sect. 3. The shares of the stock in the company shall be transferable on the books of the company, in such manner as the board of managers shall direct, so as to vest in the assignee the same rights and privileges, and subject him to the same liabilities as an original subscriber to these articles: *Provided*, That no shares shall be transferred until all arrears are paid. Stock transferable.

Sect. 4. Each stockholder shall be entitled to receive, as evidence of his or her stock, a certificate expressing the number of shares held by him, her or them, and the sum paid on each, which shall be issued in such manner as the board of directors for the time being shall direct. Certificates of stock.

ARTICLE III.

Sect. 1. The concerns of the company, until the election of directors in accordance with the subsequent provisions herein, shall be under the control of John Nicolls, John Rowan, Joseph Markle, Doctor James Beatty and James B. Oliver, who are hereby appointed managers for that purpose, a majority of whom shall be necessary to transact business: the managers shall take the necessary steps for obtaining subscriptions to the capital stock of the company, shall take charge of the funds of the company, and be accountable for their faithful application, and they shall have power to purchase such real estate as may be necessary for the company, and shall immediately after they are advised that two-thirds of the present capital stock of the company are subscribed, give notice, by advertisement in the Gazette and Register of Greensburg at least three weeks, to the stockholders to meet in West-Newton, at some time and place certain, to choose directors for said company, shall at such time and place superintend said election, and deliver over to the directors to be chosen. Managers. Directors to be chosen.

rectors, when elected, the books, funds and all things belonging to the company.

ARTICLE IV.

When elec- Sect. 1. After the first election for directors, the affairs of
tions shall be the company shall be under the superintendance, management
held. and control of five directors, who shall be elected by the
stockholders annually after the first election, on the first Mon-
day in January, by ballot, at such place in West Newton as
the directors for the time being shall notify and direct by ad-
vertisement, and in such election a majority of votes shall be
necessary to a choice.

By ballot. Sect. 2. All elections shall be by ballot and under the su-
perintendance of one judge, to be selected by the president
from the stockholders, who is not a director, who shall report
to the president, and he shall cause the new board of direct-
ors to be notified of their election, and shall preside at such
new board until his successor is elected: the stockholders to
vote according to their shares, in the following ratio, viz. One
share one vote, every two shares above one, one vote; a list
of subscribers, with the number of shares subscribed by each,
shall be furnished the directors to the judge, who shall de-
cide the right of the electors to vote.

Who shall be Sect. 3. No person shall be eligible as a director who is not
eligible as a stockholder, and who shall have failed for more than sixty
director. days to comply with the provisions of the articles of associa-
tion, or any requisition of the directors made by virtue of any
power herein delegated.

Election of Sect. 4. The directors, immediately after their election,
president and duty of. shall proceed to elect one of their own body, by a majority of
votes, for president, whose duty it shall be to preside at all
meetings of the company and of the directors, sign all eviden-
ces of stock in the company, and all contracts, promises, bills
or obligations for and on behalf of the company that may be
directed by the directors, shall notify general meetings of the
stockholders on the request of the directors, or on the written
request of six or more of the stockholders, stating the object
of the meeting, and in case of an equal division of the board
of directors, shall have a casting vote besides his vote as a
director.

When and Where di- Sect. 5. The directors shall meet quarterly on the first
rectors shall meet. Tuesdays in January, April, July and October, in West New-
ton, and at such other times as they may think necessary: a
majority of the whole number of directors shall be necessary
to constitute a quorum for business, and a majority of the di-
rectors present shall be necessary to the adoption of any re-
solution; they shall keep a record of their proceedings; they
shall have power to appoint all needful officers, other than
those herein enumerated, and to fill vacancies in any of those,
Their pow- shall have power to make by-laws for the government of their
ers and duty.

own body, the company and its officers, not repugnant to these articles, the constitution and laws of the United States and of this state, shall have the control and disposition of the joint funds of the company, for and on behalf of the company, may make all necessary contracts, promises or agreements for and on behalf of the company, to further its objects or promote its interests; which contracts, promises and agreements, signed by the president and such other officers as the board of directors may direct, shall be binding and obligatory upon the company, to the extent of its joint funds only; may purchase real estate in the name of the company, real estate necessary for the company, and erect all needful buildings thereon; may call in instalments of the capital stock, and prescribe the forfeitures, penalties and disabilities that shall attend the non-compliance therewith.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the said managers, named in the foregoing articles, shall be responsible to the company for any sum or sums of money which they may have received under the said articles of association; and the subscribers to the stock shall be liable to pay the amount of their respective subscriptions, for the use of the said company, in the same manner as if they had been duly incorporated before the making of such subscriptions.

Managers to be responsible for all money now subscribed.

SECT. 3. *And be it further enacted by the authority aforesaid,* That when a good and complete bridge is erected across the said river Youghiogheny, in the place aforesaid, the property of the said bridge shall be vested in the said company, their successors and assigns for ever; and the said company, their successors and assigns, may demand and receive toll from travellers and others, not exceeding the following rates, viz. For every coach, landau, chariot, phaeton, chair or other pleasurable carriage, for each horse drawing the same, eighteen and three-fourth cents; for every loaded waggon or cart, for each horse drawing the same, twelve and one-half cents; for the same carriage, when empty, for each horse drawing the same, nine cents; for every sleigh or sled, twelve and one-half cents for each horse drawing the same; for every single horse and rider, six cents and one-fourth; for every horse or mule, with their burden or load, four cents; for every horse or mule, without a burden, three cents; for every foot passenger, one cent; for each head of horned cattle, two cents; for each sheep or swine, one cent and one-half; and for all waggons or carriages which shall be drawn by oxen, or partly by oxen and partly by horses, two oxen shall be estimated as equal to one horse in computing the toll: *Provided,* That the said bridge shall not in any manner interrupt or impede the navigation of the said river, nor injure the fording.

Bridge vested in the company.
Rates of toll.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the managers for the time

Duty of managers.

being, to contract with any person or persons owning land at either side of the said river, where the said bridge is to be built, for the purchase of so much land as may be necessary for the purposes of said company; that if the parties cannot agree, then the said managers shall apply to the court of quarter sessions of the county of Westmoreland, who shall

Damages,
how assessed.

after hearing, cause notice to be served upon such owner or owners, appoint seven disinterested freeholders, who shall go upon the ground and assess such damages as the said owner or owners will sustain by the erecting of the said bridge, and upon this report being approved of by the said court, and the account of damages and costs being paid by the company, they may proceed to erect and complete said bridge without hindrance or molestation.

Of dividends.

SECT. 5. *And be it further enacted by the authority aforesaid,* That when the bridge shall have been finished, the managers shall semi-annually thereafter declare a dividend of the nett profits, which, after ten days notice and on application, shall be paid to the stockholders respectively.

Omission of
elections.

SECT. 6. *And be it further enacted by the authority aforesaid,* That any omission of the subscribers to the association, in holding elections heretofore, shall not impair any rights or privileges hereby granted, but the managers heretofore appointed shall proceed as if they had been regularly elected, and all the acts done by them in pursuance of the said articles, shall be valid.

Who shall be
exempt from
toll.

SECT. 7. *And be it further enacted by the authority aforesaid,* That all persons going to or from funerals or divine service, persons going to or from school, and militia men going to or from training or elections, shall be privileged to pass over the said bridge without the payment of toll.

Of the commencement
and completion of said
bridge.

SECT. 8. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said company to commence building the said bridge within one year from the passing of this act, and complete the same within two years thereafter; and it shall also be the duty of the said company to report or cause to be reported annually, under oath or affirmation, to the court of quarter sessions of the peace of the proper county, the amount of clear profits accruing to the said company from the said bridge, and if the amount of profits arising as aforesaid, shall be found to exceed fifteen per cent. per annum on the sum expended by the said company, in erecting the said bridge, then and in that case the said court shall so reduce the tolls of said bridge, that the clear annual profits shall not exceed fifteen per cent. per annum; and if the said company shall neglect or refuse to comply with the foregoing provisions, or if the said company shall at any time issue any note or notes in the nature of bank notes, or transact any business in the nature or manner of banking, then

In what case
the privi-
leges shall be
forfeited.

and in either of these cases, the chartered privileges hereby granted shall cease and revert to this Commonwealth.

REES HILL, *Speaker of the
House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-second day of March, one thousand
eight hundred and seventeen.

SIMON SNYDER.

CHAPTER CIII.

AN ACT

To authorise the surviving administrator of the estate of Charles Clarke, and also the executors of Walter Clarke and of Thomas Davenport, to execute deeds for certain lots of land therein mentioned.

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 John Lackey, surviving administrator of the estate of Charles Clarke, late of North Beaver township, in the county of Beaver, deceased, be, and he is hereby authorised to execute a deed of conveyance to William Adair, James Fullerton and John Nesbit, and their assigns, in trust for the use of the congregation of Westfield; in said county, for one acre of land, to be laid off in the south-east corner of lot number seventeen hundred and seventy-one donation land; which deed, when so executed, shall be considered as good and available in law, as if it had been executed by the said Charles Clarke in his lifetime.*

Title to be
made to the
Westfield
congregation

SECT. 2. *And be it further enacted by the authority aforesaid, That John Hunter and John Clarke, executors of Walter Clarke, late of North Beaver township, Beaver county, deceased, be, and they are hereby authorised to execute a deed of conveyance to William Adair, James Fullerton and John Nesbit, and their assigns, in trust for the use of the congregation of Westfield, for one acre of land, to be laid off in the south-west corner of lot number one thousand seven hundred and seventy-two, in the first district of donation land; which deed, when so executed, shall be considered as good and available in law, as if it had been executed by the said Walter Clarke in his lifetime.*

Title to be
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Westfield
congregation