

## No. 84.

## AN ACT

To authorize the Governor to incorporate a company to erect a bridge over the Monongahela river at Williamsport.

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 William McCreery, Joseph Lawrence, James Shannon and John Watson, of Washington county, Henry Fulton and John Power of Westmoreland county, and James Patterson of Mifflin, Allegheny county, be and they are hereby appointed commissioners to examine and fix on the site for the erection of a bridge over the Monongahela river at or near the town of Williamsport, whose duty it shall be, after being duly sworn or affirmed before some justice of the peace, faithfully to perform the duties hereby enjoined, viz: to meet at the point designated on the first Monday of June next, or as soon thereafter as possible, to examine or establish the site for said bridge, according to the true intent and meaning of this act, and make out a draft or plot of said site on or before the first day of July next, a copy of which shall be filed in the prothonotary's office of Washington county, for which they shall be allowed the sum of two dollars for each and every day they shall be necessarily employed, which sum shall be paid by their order drawn on the president and managers of said company, after they shall be organized, as hereafter provided, and further, that Robert McFarland, James Gordon, James McGrew, Aaron Kerr, Thomas McGiffin, Shezbazer Bentley, junior, and John R. Shugart, of Washington county, John C. Plumer and John Hitchman, of Westmoreland county, James Power and H. H. Peterson of Allegheny county, be and they are hereby appointed commissioners to perform the several duties hereinafter mentioned, that is to say, they shall, on or before the first day of June next, procure a book and enter therein as follows: "We whose names are hereunto subscribed do promise to pay unto the president, managers and company for erecting a bridge over the Monongahela river at Williamsport, the sum of fifty dollars for every share of \$50 per share. stock set to our names respectively, in such proportions and at such times as shall be determined by the president and managers, in pursuance of an act of the General Assembly, entitled An act authorizing the Governor to incorporate a company to erect a bridge over the Monongahela river: Witness our hands and seals the \_\_\_\_\_ day of \_\_\_\_\_ in \_\_\_\_\_

Commissioners appointed to fix on scite for bridge.

To be sworn or affirmed.

Time fixed for meeting and decision.

Plot to be filed. Compensation.

Commissioners named to open books.

Form of subscription.

Publication of notice. the year of our Lord one thousand eight hundred and thirty-two, and shall thereupon give notice in at least two of the newspapers published in each of the counties of Washington and Allegheny, for one calendar month, at least, when and where the said books shall be opened to receive subscriptions for the stock of said company, at which respective times and place or places, at least two of the said commissioners shall attend, and permit all persons of lawful age to subscribe in said book, until the number of two hundred shares shall have been subscribed, after which the books shall be closed, provided, that every person offering to subscribe in said books, in his own or in the name of any other person, shall previously pay to the attending commissioners the sum of three dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking said 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, and the officers as hereinafter directed shall be chosen.

\$3 to be paid upon each share when subscribed.

When 20 persons take 200 shares Governor to grant charter.

Style of corporation.

Privileges and liabilities.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when twenty or more persons shall have subscribed two hundred or more shares in the said stock, the commissioners, or a majority of them, shall certify, under their hands and seals, the names of the subscribers, and the number of shares by them subscribed, to the Governor, and thereupon it shall be lawful for the Governor, by letters patent, under his hand and seal of the state, to erect and create the subscribers into one body politic and corporate, in deed and in law, by the name, style and title of the "president and managers and company of the Williamsport bridge company," and by the said name the subscribers 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 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, real and personal, as shall be found necessary and convenient to them in the prosecution of their work, and 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.

Organization of company.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the persons named in the letters patent, as soon as conveniently may be, shall give notice in the before mentioned newspapers of the time and place by them to be appointed, not less than thirty days from the date of the first notice, at which time and place the said subscribers shall

proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot, to be delivered in person or by proxy, duly authorized, seven managers and one treasurer, for the term of one year from the date of the aforesaid election, and yearly and every year thereafter, the said subscribers shall proceed to ballot as aforesaid for seven managers and one treasurer, that the said managers so elected and appointed shall meet within thirty days from the date of such election, and select one of their number as president for the current year: *Provided*, That every stockholder shall be entitled to one vote for each and every share he, she or they may hold, if the number shall not exceed five, and one vote for every three shares above five and under twenty, and one vote for every ten shares over twenty: *Provided*, That no stockholder shall be entitled to more than twenty votes: *Provided also*, That if the president and managers of said company cannot agree with the owner or owners of the land or lands whereon said site shall be fixed, as regards its valuation, then it shall be the duty of the court of Quarter Sessions of the county of Washington, on application being made by said president and managers, or a majority of them, to appoint seven reputable and disinterested citizens of this state, who shall, upon oath or affirmation, proceed to examine the premises, and after taking into view the advantages (if any,) as well as the damages, shall make out in writing a fair valuation of the land or lands and privileges whereon said bridge shall have been located as aforesaid, and return a copy of said valuation to the next court of Quarter Sessions in said county, and the said valuation or appraisalment having been confirmed by the court, shall be filed in the prothonotary's office, and the said president, managers and company having paid to the said owner or owners respectively the several sums ordered to be paid to them, together with the costs of the appraisalment, the said corporation shall be entitled to have and to hold, to them and their successors and assigns, the said lands as fully as if they had been granted by their respective owners, and thereupon, and not before, it shall be lawful to commence the erection of said bridge.

Annual election of seven managers and treasurer.

President. Proviso. Ratio of votes to shares.

2d proviso. 3d proviso.

Mode pointed out for the adjustment of damages in case of disagreement with owners of site.

SECT. 4. *And be it further enacted by the authority aforesaid*, That the said president and managers may make such by-laws, rules, orders and regulations not inconsistent with the laws of this state or of the United States, as shall be necessary for the well ordering of the affairs of the corporation, and generally to have all powers, authorities and privileges necessary for completing, maintaining and keeping in repair the said bridge: *Provided*, That if the said company shall not proceed to carry on said bridge within five years after the passage of this act, and within five years thereafter complete the same, or if the said company shall

Enactment of by-laws.

Proviso. Time fixed for commencement and completion.

Banking pri-  
vileges  
forbidden.

Proviso.  
Bridge not to  
obstruct  
navigation.

Rates of toll  
authorized to  
be taken.

proceed to issue any note or notes of the nature of bank notes, or do any business of the nature of banking, it shall and may be lawful for the legislature to resume all and singular the liberties and privileges hereby granted to said company: *Provided further*, That the erection of said bridge shall not obstruct the navigation of said river so as to endanger the passage of rafts, steam boats or other water craft.

SECT. 5. *And be it further enacted by the authority aforesaid*, That the president, managers and company for erecting a bridge over the Monongahela river at Williamsport, their successors and assigns, are hereby empowered to erect gates and demand and receive tolls, not exceeding as follows, to wit: for every foot passenger, two cents; for every carriage, of whatever description, used for the purpose of trade or agriculture, having four wheels and drawn by six horses, seventy-five cents; for every such carriage having four wheels, drawn by five horses, sixty-two and one half cents; for every such carriage having four wheels, drawn by four horses, fifty cents; for every such carriage having four wheels and drawn by three horses, forty-four cents; for every such carriage having four wheels and drawn by two horses, thirty-seven and one half cents; for every such carriage having four wheels and drawn by one horse, thirty-one cents; for every carriage of whatever description, used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, seventy-five cents; for every such carriage having four wheels and drawn by two horses, sixty-two and one half cents; for every such carriage having four wheels and drawn by one horse, thirty-seven and one half cents; for every carriage, of whatever description, used for the purpose of trade or agriculture, having two wheels and drawn by four horses, forty-four cents; for every such carriage having two wheels and drawn by three horses, thirty-seven and one half cents; for every such carriage having two wheels and drawn by two horses, thirty-one cents; for every such carriage having two wheels and drawn by one horse, eighteen cents; for every chair or other wheeled carriage of pleasure, for every horse used therein, eighteen cents; for every sleigh or sled drawn by four horses, thirty-seven and one half cents; for every sleigh or sled drawn by three horses, thirty-one cents; for every sleigh or sled drawn by two horses, twenty-five cents; for every sleigh or sled drawn by one horse, twelve and one half cents; for every horse, mare or gelding, with a rider twelve and one half cents; for every horse, mare or gelding without a rider, six cents; for every carriage drawn by oxen, or partly by oxen and partly by horses, to be rated in proportion of two oxen for one horse; and in all cases a mule shall be rated in the same proportion

as a horse; for every head of horned or muley cattle, two cents; for every head of sheep or swine, one cent: *Provided*, That any person or persons attending funerals, any detachment of the military of this state, or of the United States, passengers attending divine service, students or children attending schools or other seminaries of learning, shall at all times be exempt from paying toll: *Provided also*, That it shall be the duty of the president and managers of the company, and their successors, to have a written or printed list or lists of the above rates of toll placed upon some conspicuous part at each end of the said bridge, for the inspection of all persons desirous of seeing the same.

SECT. 6. *And be it further enacted by the authority aforesaid*, That as soon as the company shall be incorporated, the Governor is hereby authorized and directed to subscribe three hundred shares to the stock of the company, on the part of the state, the one half to be paid when the piers and abutments of the bridge shall have been constructed, and the other half to be paid when the bridge is finished: *Provided*, That the first half of the subscription on part of the state shall not be paid unless the president of said company certify on oath to the State Treasurer, that the balance necessary for the construction of the piers and abutments has been paid or secured to be paid by individual subscribers; and the other half shall not be paid, except on a like certificate that the bridge has been finished: *Provided*, That before any contract shall be made for the building of the said bridge, the location and plan of construction thereof shall be submitted to and approved by the board of canal commissioners.

SECT. 7. *And be it further enacted by the authority aforesaid*, That the subscriptions and payments authorized to be made by this act on the part of the state, shall for every share subscribed and paid, vest in the state all the rights, estates and emoluments appertaining to a share or shares held by individual stockholders, and as often as a dividend shall be declared by the directors, the proportion thereof due to the state shall be paid by the treasurer of said company for the time being into the treasury of the state, and a return of the same made to the Auditor General by the treasurer of the company, on oath, on or before the first Monday of November in each and every year.

JOHN LAPORTE,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of March, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.