

faithfully and impartially to perform the duties required of him by this act, and shall receive one dollar and fifty cents, each, <sup>Compensation</sup> for each day necessarily employed in performing the duties required of him by this act, together with a reasonable allowance for chain carriers and one marker, and the accounts of said commissioners, of the respective counties through which the said road may pass, and paid by the Treasurer of said counties, by orders drawn on the county treasury, in proportion to the distance said road shall pass through each county.

SECTION 24. So much of the act entitled, "An act declaring <sup>Certain act</sup> the river Susquehanna and other streams therein mentioned, repealed, in public highways," &c. passed the ninth day of March, one <sup>part</sup> thousand seven hundred and seventy-one, as relates to the Conedoguinet creek, is hereby repealed.

WM. PATTERSON,  
*Speaker of the House of Representatives.*

JACOB KERN,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, one thousand eight hundred and thirty-four.

GEO: WOLF.

## No. 197.

### AN ACT

To authorize the Governor to incorporate a company to erect a toll bridge over the river Susquehanna, at the village of Tunkhannock.

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 Henry Stark, Luman Ferry, James Kelly, Asa <sup>Commissioners</sup> Dana, Joseph Slocum, Nicholas Overfield and James Wright, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say: they shall, on or before the first day of November next, procure one or more books, and therein enter as follows: "We, <sup>Books to be</sup> whose names are hereunto subscribed, do promise to pay to the president, managers and company for erecting a bridge over the Susquehanna, at the village of Tunkhannock, the sum of <sup>Form of sub-</sup> fifty 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, in pursuance of an act of the General Assembly entitled, 'An act to authorize the Governor to incorporate a

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company to erect a toll bridge over the Susquehanna river, at the village of Tunkhannock;" and shall thereupon proceed to receive subscriptions for the stock of the said company, at such times and places as they shall think proper: *Provided always*, That every person so subscribing, in his own name or in the name of any other person, shall previously pay to the attending commissioners two dollars for every share so subscribed, out of which shall be paid the expense of taking such 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, agreeably to the provisions of this act.

**When com'rs shall certify to Gov.**

**SECTION 2.** When fifteen or more persons shall have subscribed sixty shares of the said stock, the said commissioners shall certify, under their hands and seals, to the Governor of the Commonwealth, the names of the subscribers and the number of shares subscribed, and thereupon it shall and may be lawful for the Governor by letters patent under his hand and the seal of the State, to create and erect the said subscribers, and also all those who may afterwards subscribe, into one body corporate and politic in deed and in law, by the name, style and title of "The president, managers and company for erecting a bridge over the river Susquehanna, at the town of Tunkhannock," and by the said name the said subscribers shall have perpetual succession, and all 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 should be found necessary to fulfil the intent of this act, and of taking, purchasing and holding, to them and their successors, in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

**Style of corporation.**

**Capacities & privileges.**

**Organization of company.**

**SECTION 3.** The first named five persons in the letters patent, shall so soon as conveniently may be after sealing the same, give notice in any two of the newspapers of the county of Luzerne of a time and place to be by them appointed, not less than twenty days from the time of issuing 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, either in person or by proxy, duly authorized, one president and six managers and one treasurer, and such other officers as they may think necessary to conduct the business of said company for one year, and until other officers shall be chosen, and may make such by-laws, rules

**Make by-laws** and regulations, not inconsistent with the laws of this Common-

wealth, as shall be necessary for the well ordering the affairs of the said company : *Provided*, That each person shall be entitled *Proviso*. to one vote for every share not exceeding ten.

SECTION 4. The stockholders shall meet on the first Monday in January in each succeeding year, at such place as shall be fixed by the rules and orders of the said company, to be made as aforesaid, for the purpose of choosing such officers as aforesaid for the ensuing year. Annual meeting.

SECTION 5. The president and managers first to be chosen as aforesaid, shall procure printed certificates for all the shares of stock of the said company and shall deliver one such certificate, signed by the president and countersigned by the treasurer and sealed with the seal of the corporation, to each subscriber for the share or shares held by him, on paying to the treasurer the amount of each share so held, which certificate shall be transferable at his pleasure, in person or by attorney, in the presence of the president or treasurer ; and the assignee holding such certificate, having first caused the assignment to be entered on the books of the company kept for that purpose, shall become a member of the corporation. Certificates of stock.  
How transfer-  
red.

SECTION 6. The president and managers shall meet at such times and places and be convened in such manner as shall be agreed on, for transacting their business ; and at such meetings five members shall be a quorum, who in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions 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 carry on the said bridge, and to fix their salaries and other wages ; to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, in order to carry on their work ; to draw orders on the treasurer for all moneys to pay the salaries of persons by them employed and for the materials provided and labor done, and which shall be signed by the president and countersigned by their clerk, and to do and transact all other acts, matters and things as by the by-laws, orders and regulations of the said company shall be committed to them. Duties of the  
president and  
managers.

SECTION 7. That if any stockholder, after thirty days notice given in two of the newspapers of Luzerne county, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the space of sixty days after the time so appointed, every such stockholder or his assignee, shall in addition to the instalment so called for, pay at the rate of two per cent, per month for every delay of such payment, and if the same and the additional penalties shall remain unpaid for such space of time that the accumulated penalties shall become equal to the sums before paid on account of such shares as such stockholders may hold, the same shall be forfeited to Penalty of  
non-payment  
of instalment.

the said company, and may be sold to any person or persons and for such price as may be obtained therefor.

President and  
managers to  
keep fair and  
just acc'ts.

SECTION 8. That the president and managers of the said company shall keep fair and just accounts of all moneys received by them from the said commissioners and from the subscribers to the said company, and of all penalties for delay in the payment of stock and of the amount of profits on shares that may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of said work, and shall at least once in every year submit such accounts to a general meeting of the stockholders until the said bridge be completed, and until all the costs, charges and expenses for effecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained; and if upon such liquidation, or whenever the stock of said company shall be nearly expended, it shall be found that the said capital stock is not sufficient to complete the said bridge according to the true intent and meaning of this act, it shall and may be lawful for the president, managers and company, at a stated or special meeting to be convened according to the provisions of this act or their own by-laws, to increase their number of shares to such extent as shall be deemed sufficient to accomplish the work and to demand and receive the moneys subscribed for such additional shares in like manner and under like penalties as herein before provided for the original subscription.

May increase  
No. of shares.

Rates of toll.

SECTION 9. That when a complete bridge is erected over the river Susquehanna at the village of Tunkhannock aforesaid, the property of said bridge shall be vested in the said company aforesaid, their successors and assigns for ever, and the said company their successors and assigns, may demand and receive tolls from travellers and others, agreeably to the following rates, to wit: For every carriage of whatever description used for the purpose of trade or agriculture, having four wheels and drawn by four horses, sixty cents; for every such carriage drawn by two horses, forty cents; for every carriage of whatever description, used for the purpose of personal accommodation or pleasure having four wheels and drawn by four horses, eighty cents; for every such carriage drawn by two horses, fifty cents; for every dearborn wagon, and for every chair or other two wheeled carriage of pleasure drawn by one horse, twenty cents; for every sleigh or sled drawn by four horses, sixty cents; for for every such sleigh or sled drawn by two horses, forty cents; for every such sleigh or sled drawn by one horse, twenty cents; every horse with a rider, eight cents; every carriage drawn by oxen or partly by horses and partly by oxen, to be rated in proportion of two oxen for one horse, and in all cases a mule shall be rated the same as a horse; for every horse without a rider three cents; for every score of sheep or swine eight cents; for every head of horned or muley cattle, one cent, and for every foot passenger three cents: *Provided*, That any person

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or persons attending funerals, going to or returning from divine worship on the Sabbath day, all persons going to or returning from elections or military trainings, and students or children attending school or seminary of learning shall at all times be exempt from the payment of any toll.

SECTION 10. If the said company, their successors and assigns, or whoever may possess or own the said bridge, shall demand or receive any greater rates or prices for passing over the said bridge than is herein before prescribed and specified, 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 ten dollars, one moiety thereof for the poor of the township of Tunkhannock, and the other moiety for the use of the person who may sue for the same: *Provided*, That no suit or action shall be brought unless within thirty days after such offence shall have been committed.

Penalty on  
extortion and  
neglect.

Proviso.

Section 11. The president, managers, and company shall keep a just and true account of all money received by the several collectors of tolls for crossing the said bridge, and shall make and declare a dividend of the profits and income thereof amongst all the stockholders, deducting therefrom all contingent costs and charges, and such proportions of the said income as may be deemed necessary for a growing fund, to provide against the decay and for rebuilding and repairing the said bridge, and shall on the first Monday in April and October in every year, publish the dividend to be made of the said clear profits thereof, among the stockholders, and of the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly.

Semi-annual  
dividends.

SECTION 12. The Governor is hereby authorized and required to subscribe on behalf of the Commonwealth, one hundred shares at fifty dollars each, to the capital stock of the said company, and that he draw his warrant on the State Treasurer in favor of the said company, for the said sum of five thousand dollars: *Provided*, That no money shall be drawn from the treasury until the bridge shall have been completed, and the whole amount of stock subscribed by individuals fully paid up.

Gov. authorized to sub-  
scribe 100  
shares stock.

WM. PATTERSON,

*Speaker of the House of Representatives.*

JACOB KERN,

*Speaker of the Senate.*

APPROVED—The fourteenth day of April, one thousand eight hundred and thirty-four.

GEO: WOLF.