

No. 230.

AN ACT

To authorize the Governor to incorporate a company to erect a bridge over the Schuylkill river, at or near Phoenixville, Chester county.

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 Joseph Hunsiker, John Morgan, esquire, Abraham Brower, James A. Pennypacker, Henry Louck, esquire, John Todd, Abraham Olwine, esquire, and John Jacobs of Chester and Montgomery counties, be and they are hereby appointed *Commissioners.* commissioners to perform the several duties hereinafter mentioned, that is to say, they shall, on or before the first day of June 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 president and managers and company for erecting a bridge over the Schuylkill river, at or near Phoenixville, the sum of 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 company to erect a bridge over the Schuylkill river, at or near Phoenixville, Chester county.' Witness our hands, this *Form of subscription.* *\$50 a share.*

day of _____ in the year of our Lord, one thousand eight hundred and _____;" and shall thereupon give notice, in one or more newspapers printed in Chester and Montgomery counties, during one calendar month, at least, of the times and places where the said book or books shall be opened to receive subscriptions, at which times and places some one of the said commissioners shall attend for that purpose, and keep the said book or books open for six hours of each day whereof public notice has been given, as aforesaid, for four successive juridical days, or until at least two hundred shares shall be subscribed, and if the said number of shares shall not be subscribed within that period, then the said commissioners, respectively, may adjourn from time to time till the said number of shares shall be subscribed, of which adjournment public notice shall be given, by means of newspapers where the said book or books shall have been opened or elsewhere, as occasion may require, and when two hundred shall have been subscribed, the same shall be closed: *Provided always,* That every person, on entering his name in the said books as a subscriber, shall pay one dollar on each share he shall subscribe, out of which shall be defrayed the expenses attending the taking of subscriptions, and other *Proviso.*

Notice of opening of books.

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 part payment on each share subscribed for.

When com'rs
shall certify
to Governor.

SECTION 2. When twenty or more persons shall have subscribed two hundred or more shares of stock, the commissioners, or a majority of them, may, and when the whole number shall have been subscribed, shall certify under their hands the names of the subscribers, and the number of shares subscribed by each, 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, by the name of "The president and managers and company for erecting a bridge over the river Schuylkill, near Phoenixville, in Chester county," 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 be necessary to fulfil the purposes of this act.

Name.

Capacities &
privileges.

Organization
of company.

SECTION 3. The persons named in the letters patent of incorporation shall, as soon as conveniently may be after receiving the same, give notice in one newspaper, at least, of the 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 either in person or by proxy, duly authorized, one president, six managers, one treasurer and one clerk to conduct the business of the company during one year, and until other officers be chosen; and the said president and managers may make such by-laws, rules, regulations and orders, not inconsistent with the constitution or laws of this State or of the United States, as may be necessary for the well ordering the affairs of the company: *Provided always*, That no person shall have more than ten votes, whatever number of shares he may be entitled to, and each person shall be entitled to one vote for each share by him held under that number.

Officers
elected.

Proviso.

Annual
meeting.

SECTION 4. A public meeting of the said stockholders shall be held on the first Monday of May in every succeeding year, in such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of the company.

Certificates
for shares
shall issue.

SECTION 5. The president and managers shall procure printed certificates for all the shares of stock in said company, which shall be signed by the president and 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 subscribed for, on paying to the treasurer, in part of the sum due thereon, three dollars on each share; which cer-

§3 to be paid
on each share

ificates shall be transferable 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 payment due or that may grow due thereon; and the person to whom such 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.

SECTION 6. The president, managers and company shall have the same powers, authorities and privileges for completing, maintaining and keeping in repair the said bridge, and for fixing the rates of toll and collecting the same, and be subject to the same duties, qualifications, restrictions, penalties, fines and forfeitures, which are given and granted or imposed upon the president, managers and company authorized to erect a bridge over the river Schuylkill, at or near Norristown, in the county of Montgomery: *Provided always*, That the said bridge shall not be erected at any place on the land or property of the Schuylkill Navigation Company, nor so as to do any damage or injury, or in any manner to obstruct the Schuylkill Navigation Company in their works.

Privileges & liabilities.

Proviso.

SECTION 7. The said president and managers shall meet at such times and places, and be compensated in such manner as shall be agreed on for transacting the business of the company; at which meeting five members shall be a quorum, who in the absence of the president shall choose a chairman, and shall keep minutes of their proceedings, to be fairly entered in a book kept for that purpose; and a quorum being met, they shall have full power and authority to appoint such engineers, artists, assistants and workmen as they shall deem necessary to the erection of the said bridge, and they shall fix their salaries and wages; they shall also have power to make contracts; to ascertain the times, manner and proportion in which the stockholders shall pay the money due on their respective shares; to draw orders on the treasurer for moneys necessary to pay salaries, wages and bills for work and labor done and performed, or materials furnished; which orders shall be signed by the president, or in his absence, by a majority of a quorum and countersigned by their clerk: and to do and transact all such other matters and things as by this act or by the by-laws, orders and regulations of the company shall be committed to them.

Compensat'n.

5 a quorum.

Powers.

SECTION 8. If any stockholder, after thirty days notice in some one or more newspapers being given of the time and place appointed for the payment of any proportion, dividend or instalment of the said capital stock still due on each share, shall neglect to pay the same for the space of ninety days after the day whereon the same shall be appointed to be paid, every such stockholder shall in addition to the instalment so called for, pay at the rate of five per cent. per month for every delay of such payment; and if the same and the said additional pe-

Penalty on non-payment of stock.

nalties shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on the share, the same shall be forfeited to the company, and may be sold under the direction of the president and managers, or a majority of a quorum of them, at any of their meetings of transacting business of the company, the order for the purpose being first entered in the minute book by the clerk at such meeting, or may be sued for at the option of the company.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

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

GEO: WOLF.

No. 231.

AN ACT

Relative to the management of the Philadelphia and Columbia, and Allegheny Portage rail roads.

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 canal commissioners be and they are hereby authorized if they deem it expedient for the public interest to procure such locomotive engines and tenders for the conveyance of passengers and merchandize as may be necessary for doing the whole or any part of the transportation on the rail roads belonging to the Commonwealth, or either of them, and that they shall have authority to make such regulations and appoint such agents as may be necessary, and that individuals shall have the right to place cars on the road, and under such regulations as may be adopted, attach their cars to the locomotive cars, belonging to the Commonwealth, for the purposes of transportation.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

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

GEO: WOLF.