

## No. 115.

**An Act**

To authorize the Governor to incorporate the Dunnstown Bridge company, and for other purposes.

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 Robert M. Cormick, William P. Farrand, Jesse R. Burden, Simon Cameron, William Develing, Hamilton Humes, James Wilson, Alexander Mahon, James Jeffries, Nathaniel Hanna, Willard Church, James Gamble, Doctor J. M. Green, Joseph Hall, John Elliott, Samuel M. Cormick, Doctor Curtin, Henry Taming, 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: books.

"We whose names are hereunto subscribed, do promise to pay to the president, managers and company for erecting a bridge over the West Branch of the Susquehanna, across the pool of the Dunnstown dam, the sum of twenty-five 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 the Dunnstown Bridge company," 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.

SECTION 2. When fifteen or more persons shall have subscribed four hundred shares of the said stock, the 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 Duunstown Bridge company," 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.

**SECTION 3.** The first named ten persons in the letters patent, shall so soon as conveniently may be after sealing the same, give notice in any two of the town newspapers of the county of Lycoming, of a time and place to be by them appointed, not less than twenty days from the time of issuing the first notice, of 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, one president and six managers, by ballot, either in person or by proxy, duly authorized, 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 and regulations, not inconsistent with the laws of this commonwealth, as shall be necessary for the well ordering the affairs of the said company: *Provided*, That each person shall be entitled to one vote for every share not exceeding ten, and two votes for every five shares above 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.

**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 transferrable at his pleasure, in person or by attorney, in the presence of the president or

Name, style  
and title,  
Powers and  
privileges.

Notice.

To organize.

Proviso.

Annual elec-  
tion.

Certificates  
Seal.

Of transfer.

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.

SECTION 6. The president and managers shall meet at Meeting of such times and places, and be convened in such manner, as the board. shall be agreed on for transacting their business, and at such meeting five members shall be a quorum, who in the Quorum. 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 Powers of 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 monies, to pay the salaries of persons by them employed, and for the materials provided and labour done, and which shall be signed by the president, and countersigned by their clerk, and to do and transact all other matters and things as by the by-laws, orders and regulations of the said company, shall be committed to them.

SECTION 7. If any stockholder, after thirty days notice given in two of the newspapers of Lycoming 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 Penalty called for, pay at the rate of two per cent. per month for every delay of such payment, and if the same and 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 the said company, and Forfeiture. may be sold to any person or persons, and for such price as may be obtained therefor.

SECTION 8. The president and managers of the said com-Just account pany shall keep fair and just accounts of all monies received to be kept & by them from the said commissioners, and from the subscribers submitted annually to the said company, and of all penalties for delay in the payment of stock, and of the amount of profits on shares the stock- holders. that may be forfeited as aforesaid, and also all monies 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

Special meet-  
ing to in-  
crease the  
number of  
shares.

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 monies subscribed for such additional shares, in like manner, and under like penalties as is hereinbefore provided for the original subscription.

Rate of tolls.

SECTION 9. When a complete bridge is erected over the West Branch of the river Susquehanna, across the pool of the Dunnsdown dam 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 toll 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 purposes 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-five cents ; for every sleigh or sled drawn by four horses, sixty cents ; 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 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.

Proviso.

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 hereinbefore 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 townships of Dunstable and Bald Eagle, and the other moiety for the use of the person who may sue for the same: *Provided*, That no suit nor action shall be brought, unless within such offence shall have been committed.

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; that the president and managers of the aforesaid company shall annually, on the first Monday in December, transmit to the Auditor General a full statement of their affairs, under oath.

SECTION 12. It shall be the duty of the said company in the construction of the said bridge, to connect with it a good and substantial towing-path bridge, for the purpose of towing boats and other craft across the pool of the Dunnstown dam, the same to be constructed under the direction, and approved of by the Canal Commissioners; and when the said towing-path bridge shall be completed, and approved of as aforesaid, the said company are authorized to demand and receive for every horse or mule crossing the said towing-path bridge, and towing a boat or other craft over the said pool, the sum of two cents per ton.

SECTION 13. At any time after the expiration of twenty years from the time of completing said bridge, it shall be lawful for the commonwealth to purchase the same, by paying to the said company a sum of money which, together with the dividends declared by the said company, shall be equal to the cost of constructing the bridge, and fifteen per cent. per annum interest thereon.

SECTION 14. So much of an act entitled "An act to authorize the Governor to incorporate a company to erect a bridge over Stony creek, at Johnstown, in Cambria county, as designates the location of said bridge, and provides that the county shall at any time have the right to purchase out said company, by reimbursing the amount of money expended in the construction of said bridge, together with interest thereon,

Repeal. be and the same is hereby repealed ; and the said company may build a bridge across the Stony creek at such point or place as may be deemed expedient.

Bridge at Fallston, Beaver co. Repeal. SECTION 15. So much of an act entitled "An act to authorize the Governor to incorporate a company to erect a bridge over the Big Beaver river, at Fallston, in Beaver county," as requires the location of said bridge at the rope ferry, be and the same is hereby repealed; and the said company are hereby authorized to locate said bridge at or near said rope ferry. And so much of said act as requires the payment of a tax on the dividends of said company, be and the same is hereby repealed.

Tax repealed

NER MIDDLESWARTH,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, eighteen hundred and thirty-six.

JOS: RITNER,



No. 116.

## An Act

To incorporate the Chester county Insurance 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 David Potts, junior, James Kelton, Morgan J. Thomas, William Jackson, Joseph Whitaker, Isaac Wayne, James Boyd, William Everhart, Robert Irwin, Ziba Pyle, John Solomon, William Williamson, Thomas S. Bell, William Darlington, Nimrod Strickland, Joseph J. Lewis, P. Frazer Smith, Samuel Carpenter, Jeffries J. Tweddle, and William Apple, be, and they are hereby appointed commissioners for receiving subscriptions to the stock of a company to be denominated "The Chester county Insurance company," who shall open a book for that purpose in the borough of West Chester, at a time and place

Commissioners.

To open book for subscribers to s.