

as they shall think proper. And when the subscription shall amount to three hundred and ninety shares, as aforesaid, the book shall be closed: *Provided always*, That every person offering to subscribe in said book or books, in his own name, or in the name of any other person, shall at the time of subscribing, pay to the attending commissioner or commissioners, two dollars on every share so subscribed, out of which money, shall be defrayed the expenses attending the taking of such subscription, 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 thereof chosen as is hereinafter directed: *And provided*, That no person shall be allowed on the first day said books shall be opened, to subscribe in his own name, or in the name of any other person, for more than twenty shares.

SECTION 2. When two hundred shares of the said stock shall have been subscribed, the said commissioners, or a majority of them, shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each to the governor, and thereupon, it shall and may be lawful for the governor, by letters patent, under his hand and seal of the state, to create and erect the subscribers; and if the said subscription be not full at the time, then also, those who shall subscribe to the number aforesaid, into one body politic corporate, in deed, and in law, by the name, style, and title of the president, managers and company, of the Perrysville bridge, in the county of Juniata; and by the said name, the subscribers shall have perpetual succession, and all the privileges and franchises incident to corporations, and shall be capable of holding their 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 be thought necessary to fulfil the intent and meaning of this act, and of purchasing, and holding to them, and their successors, and assigns, and of selling, transferring, and conveying, in fee simple, or any less estate, all such lands, tenements, hereditaments, and estates, real and personal, as shall be necessary to them, in the prosecution of their work, and of suing and being sued, and doing all and every thing which a body politic or corporate may lawfully do.

SECTION 3. The first five persons named in the letters patent, as soon as conveniently can be, after receiving their charter, shall give notice, in one or more of the public papers, in the county of Juniata, of a time and place by them appointed, not less than fifteen days from the time of issuing the first notice, at which time and place, the subscribers shall proceed to organize the said corporation, and shall by a majority of votes of said subscribers present, by ballot to be delivered in person, or by proxy duly authorized, elect one president, six

Proviso.

Amount to be paid at subscribing.

Comms. to certify number of shares.

Letters patent may issue.

Name.

Liberties and franchises.

Who shall give notice of time of organization and election.

- Officers. managers, one treasurer, who shall serve until other officers shall be lawfully chosen, as hereinafter directed, and may make
- By-laws. such rules, orders, regulations and by-laws, not inconsistent with the laws of this commonwealth, as shall be found necessary for the well-ordering of the said company, and generally, to have all the powers, authorities and privileges, necessary for erecting, maintaining and keeping in repair the said bridge.
- Annual meet- SECTION 4. A public meeting of the stockholders shall be ing and elec- held annually, at such time and places as shall be fixed by the tion. rules and by-laws, of said company, for the purpose of choosing officers for the ensuing year, and the transacting of such business as shall come before them: *Provided*, That no person shall have more than ten votes at any election, or in determining any question arising at any meeting, whatsoever number of shares he may be entitled to, and that every person shall be entitled to one vote, for every share under four shares, and one vote for every two shares under ten shares, and over four, and one vote for every five shares over ten, to ten votes, and no more.
- Proviso.
- Certificates. SECTION 5. The president and managers, shall procure certificates 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 stockholder, shall be entitled to a certificate for each share by him subscribed or held, by paying to the treasurer, in part of the sum due thereon, five dollars on each share, which certificate 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 growing due thereon, and the person to whom the transfer shall be made, shall stand in the place of the former holder, and be entitled to the same privileges, and liable to the same responsibilities to the company.
- Transferable.
- Meetings how called. SECTION 6. The said president and managers, shall meet at such time and place, and be convened in such manner, as shall be prescribed by the by-laws, at which meeting, a majority shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their proceedings and transactions, truly inserted in a book, and at any such meeting a quorum being present, they shall have full power and authority to agree with, and appoint such engineers, superintendents, artists, and other officers, as they shall think necessary, for the erection of said bridge, and to fix their salaries and wages, or at their discretion, make contracts for the erection or construction of the same, or any part thereof, they shall also determine the times, manner, and proportion in which the stockholders shall pay the money due on their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages, and bills, for work or materials, or on
- Power to appoint officers, &c.
- Salaries.

accounts of contracts, which orders shall be signed by the president, or in his absence, by a majority of the quorum, and countersigned by the clerk, and also, to do all matters and things as by this or the by-laws of the said company shall be committed to them.

SECTION 7. If any stockholder, after thirty days notice given in one or more newspapers in each of said counties, of the time and place appointed for the payment of any instalment of said capital stock, shall neglect to pay such instalment at the time appointed, every such stockholder or his assignee, shall in addition to the proportion so called for, pay at the rate of one per cent per month for every delay of such payment, and if the same, and the said additional payment shall remain unpaid for such a space of time, that the accumulated penalties shall be equal to the sum before paid, on account of such share, the same shall be forfeited to the company, and may be sold by them, to any other person or persons, willing to purchase for such price as can be obtained therefor, or the president and managers, may sue for and recover the same before any justice of the peace, or before any court of competent jurisdiction.

Penalty for non-payment of instalments

SECTION 8. Whenever it shall appear to the said president, managers and company, at any general or special meeting, that the said bridge cannot be completed without extending the number of shares, they shall be extended under the direction of such meeting, so far as may be necessary to complete said bridge, which additional shares shall be sold by the president and managers, and shall entitle the holder to the same rights and privileges, as those originally subscribed.

Shares may be extended.

SECTION 9. When a safe passage may be had across said bridge, the property shall be vested in the said company, their successors, and their assigns forever; and the said company and assigns, are hereby empowered to erect gates, and to demand and receive tolls, not exceeding the following rates, viz: for every carriage of whatever description, and for the purpose of trade or agriculture, having four wheels, for each horse drawing the same ten cents, for every carriage having two wheels, for each horse drawing the same, six and a fourth cents, for every carriage of whatever description, used for the purpose of personal accommodation or pleasure, having four wheels, for each horse drawing the same, twelve and a-half cents, for every dearborne wagon drawn by one horse, twelve and a-half cents, for every chair or other two wheeled carriage of pleasure, for each horse drawing the same, twelve and a half cents, for every sleigh or sled drawn by three horses, twenty cents, for every sleigh or sled drawn by two horses, eighteen and three fourth cents, for every sliugh or sled drawn by one horse, twelve and a half cents, for every horse, mare or gelding, without a rider, four cents, and with a rider, six and a-fourth cents, for every carriage drawn by oxen, or partly by oxen, and partly by horses to be ra-

Property to vest in corporation.

Tolls.

- ted in the proportion of two oxen for one horse, and in all cases a mule shall be rated the same as a horse; for every score of sheep or swine, twelve and a-half cents; for every head of cattle, two cents; for every foot passenger, six and a-fourth cents: *Provided*, That the said bridge shall be so constructed as to admit any load not exceeding four tons, and not drawn by more than six horses or oxen, at all times to cross it; the said president and managers, however, to have the power to increase the rate of toll to be demanded for any carriage of burden crossing the said bridge, laden with more than four tons, to an amount not exceeding treble the above rates, and grade the rate of horses drawing the same: *And provided also*, No toll shall be demanded from any person attending funerals, divine worship, schools, or going to or returning from any militia trainings, and persons going to and from elections.
- SECTION 10.** If the said company, or their successors, or any person or persons, by their authority, shall collect or demand any greater toll for passing over said bridge, than what is hereinbefore prescribed and specified, or shall neglect to keep the same in good repair, or to keep a list of the rates of toll placed near the bridge, on ten days notice given by a justice of the peace of the said county, the person offending shall, for every offence, forfeit and pay the sum of five dollars, to be recoverable as debts of the same amounts are by law recoverable: one moiety thereof to the use of the poor of the county where recovered, and the other moiety to the use of the person who shall sue for the same; but no suit shall be brought unless commenced within thirty days after the offence shall have been committed.
- SECTION 11.** The said president and managers shall keep a just and true account of all the moneys received as toll for crossing the said bridge, or otherwise; and shall make and declare a dividend of the profits and income, after deducting costs, expenses, and charges; and shall, on the first Monday of November in every year, publish the dividend to be made of the clear profits thereof amongst the stockholders, and of the time and place when and where the same to be paid, and shall cause it to be paid accordingly: *Provided*, That it shall be lawful for the said president and managers, in making and declaring any dividend, to reserve such sum or proportion of the clear yearly income, not exceeding two per cent. of the capital stock, as they may think proper to form a contingent fund, for the purpose of repairing and rebuilding the said bridge in case of decay or injury; and the same to invest on such security, or in such stock, as they shall deem safe and productive; and the interest arising from the same again to invest, and the same stock to sell or transfer at any time when the funds may be required for the purpose aforesaid.
- Proviso.
- Proviso.
- Penalty for exacting too great toll.
- List of rates to be put up.
- Time of commencing suits limited.
- Annual dividends declared
- Proviso.
- Contingent fund.

SECTION 12. It shall be lawful for the president and managers aforesaid, to cause the toll collector or collectors to give such security for the payment of the tolls to the said president and managers, or treasurer as they may designate, and such conditions for the faithful discharge of his duty, as they shall deem proper.

Penalty for
injuring.

SECTION 13. If any person or persons shall wilfully pull down, break, injure, or destroy, any part or parts of said bridge, or any toll-house, gates, bars, or any other property of the said corporation, appertaining to, or erected for the use and convenience of said bridge, or of the person employed for the purpose of attending to the same, or shall wilfully, without the consent or order of the said corporation, deface or destroy any list of the rates of toll affixed in any place or places, for the information of passengers and others, or who shall wilfully or maliciously obstruct or impede the passage on or over said bridge, or any part or parts thereof, he, she or they so offending, shall each of them forfeit and pay for each and every such offence, to the said corporation, the sum of ten dollars, to be recovered before a justice of the peace as debts of a like amount are recoverable; and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern, or in some vessel secured, so that the probability of setting fire to said bridge shall be fully prevented, or who shall discharge any pistol or gun, or any fire arms on or near the said bridge, so that the said bridge might by possibility be set on fire or injured by said cause, he or she so offending shall forfeit and pay to the said corporation the sum of five dollars for every such offence; to be recovered as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offence, and he or they so offending shall remain liable to actions at the suit of said corporation for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damages.

Penalty for
carrying fire
or discharging
fire arms.

Time limited
for commencing
action

SECTION 14. If the said company shall not proceed to carry on the said work within three years after they shall have been incorporated, or shall not within the space of four years thereafter complete the said bridge, it shall and may be lawful for the legislature of this commonwealth, to resume all and singular the rights, liberties and privileges hereby granted to the said company: *Provided also,* That the president and managers shall annually, in the month of January, publish in one or more newspapers printed in each of the aforesaid counties, a full account of the cost of building and repairing said bridge, and the amount of toll received.

Commence-
ment and
completion
limited.

Proviso.

SECTION 15. The legislature reserves the right to revoke, alter or amend the charter hereby granted, at any time they may think proper.

WM. HOPKINS,
Speaker of the House of Representatives.
EB. KINGSBURY, Jr.
Speaker of the Senate.

APPROVED—The 21st day of April, Anno Domini, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 184.]

A SUPPLEMENT

To the act, entitled "An act incorporating the town of Pottsville, in Schuylkill county, into a borough."

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 town council of the borough of Pottsville, shall have full power and authority to pass ordinances, rules and regulations, to regulate, grade, cut down, fill up, pave and repave, curb and recurb, form and make all and every the foot ways, side walks and gutters in the streets, lanes and alleys of the said borough, at such times and in such manner as they by ordinances may direct, and the said ordinances to execute, under the direction of such person or persons as they may appoint, and shall tax the property in front of which such foot-ways, side-walks and gutters shall be made, paved and curbed, with the expense thereof, in proportion to the extent of the same in front, which shall be a lien thereon until paid: *Provided,* That the owners of property in front of which such foot-ways, side-walks and gutters, are directed to be made as aforesaid, shall have the privilege of making the same on their own front as aforesaid, within sixty days after the publication of the ordinance requiring the same to be done, in one or more newspapers printed in the said borough, and the service of a notice in writing personally, or left at the place of abode of such owner, if a resident of the borough: *And provided,* That no person shall be compelled

Town council to regulate streets, &c.

Lien.

Proviso.

2d Proviso.