

members of any such association who shall be regularly expelled therefrom, on account of his or their violation of the foregoing provision, shall be held to have forfeited all right, title and interest in and to the privileges, property and franchises of such association, but shall still be held liable for the payment of all arrearages of any dues, fees, assessments or charges which shall have been previously laid or held against him, or them, in accordance with the constitution or by-laws of such association.

7. That incorporations under this act may establish and regulate admission fees, annual dues, assessments and other charges against members, and the same shall be collectable by the trustees of such incorporations, in the same manner as other debts. Admission fees, &c.

8. That any association of persons heretofore incorporated under any special act of the legislature are hereby authorized to organize under this act in the manner provided in the first section; and upon filing a certificate of the corporate name of such association, as required by the second section; all the right, title and interest of any association heretofore incorporated, in any estate, real or personal, shall be vested in the said body corporate and politic so created, and the original incorporation of such association shall be null and void. Associations incorporated by special act of legislature may organize under this act.

9. That any association of persons heretofore organized, but not incorporated, for the general purposes and the general manner prescribed by this act, shall be deemed and held to be incorporated under this act, to all intents and purposes, in law and in fact, upon the trustees filing a certificate of the corporate name of such association, as required by the second section; and all the right, title and interest of any such association in any property, privileges or franchises, shall be vested in the said body corporate and politic so created; and the trustees, or other officers heretofore elected or appointed, shall hold their offices for the terms for which they were elected, respectively, and until others are elected in their place. Associations deemed to be incorporated under this act.

10. That the legislature may at any time alter, modify or repeal this act, and may also annul or repeal the charter of any association incorporated under and by virtue of the provisions of this act; and the same shall take effect immediately. Legislature may modify or repeal.

Bridges.

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| 1. Penalty for driving faster than a walk over public road bridges. | 6. Commissioners to take oath. |
| 2. Penalty when collected, how disposed of. | 7. May issue bonds. |
| 3. Board of freeholders may purchase toll bridges. | 8. Bonds to be a lien. |
| 4. Proceedings when agreement cannot be made as to valuation. | 9. Principal and interest may be raised by tax. |
| 5. Proceedings in case of appeal. | 10. Bridge companies empowered to execute mortgages. |
| | 11. Mortgages heretofore given, valid. |
| | 12. To be a lien on rights and franchises. |

A supplement to "An act respecting bridges," approved April tenth, eighteen hundred and forty-six.

Approved March 15, 1876. P. L. 1876, p. 31.

1. That it shall not be lawful for any person or persons to drive any kind of carriage, wagon, cart, sled or sleigh, drawn by one or more horses or mules, or lead or drive any other description of cattle over any of the public road bridges in this state, which may be constructed of wood or iron, or the arches of which may be of wood or iron, at a faster gait than a walk, when the authorities in charge of such bridge have placed upon it a notice limiting the pace over it to a walk; and every person or persons wilfully so offending shall, upon conviction thereof, before any justice of the county in which such bridge may be situated, forfeit and pay the sum of ten dollars, with costs of prosecution, for each and every horse, mule, or other cattle so unlawfully led or driven. Penalty for driving faster than a walk over public road bridges.

2. That one-half of said penalty, when collected, shall be paid to the person making the complaint, and the other half shall be paid to the county collector of said county. Penalty.
Penalty when collected, how disposed of.

A supplement to "An act concerning bridges," approved April tenth, eighteen hundred and forty-six.

P. L. 1876, p. 408.

Approved April 21, 1876.

Board of chosen freeholders may purchase toll bridge.

3. SEC. 1. That wherever any toll bridge has been constructed and now exists over any stream forming a part of a free public road in this state, it shall and may be lawful for the board of chosen freeholders of the county in which such toll bridge and road may be situate, to purchase such toll bridge with all the franchises, privileges and rights of the person or persons, or corporation owning and maintaining such bridge for such reasonable sum as in their judgment may be for the best interest of the county; and when any such bridge shall be so purchased it shall be forever thereafter free for public travel, and shall be maintained and renewed as other county bridges are directed to be.

Proceedings when freeholders and owners cannot agree as to valuation.

4. SEC. 2. That in case the chosen freeholders cannot agree with the bridge owners as to the valuation of any such bridge, the justice of the supreme court holding the circuit within which such bridge is situate shall, upon application of either party, appoint three competent and disinterested persons commissioners to determine the true value of the bridge in question, and the said commissioners shall immediately upon their appointment proceed to estimate and determine the fair and just value of the said bridge and franchises, having given at least twenty days' notice in writing of the time and place when and where they will meet to hear any representatives on behalf of the said bridge owners or of the board of freeholders, which notice shall be served upon the persons or corporation owning said bridge, and upon the director of the board of freeholders; and so soon as the said commissioners shall have determined the said valuation they shall prepare and sign a certificate thereof, and file the same in the office of the clerk of the county in which the said bridge is situate, and immediately upon the payment of the amount of the said valuation or award to the said bridge proprietors, or in case they will not receive it upon deposit of the same in such trust company or savings institutions as the aforesaid justice of the supreme court shall direct, the title to and right of possession of the said bridge shall become vested in the board of freeholders of the said county for public use in the same manner as if the same had been erected by said board in pursuance of law.

Proceedings in case of appeal.

5. SEC. 3. That in case the said bridge owners or the board of freeholders shall feel aggrieved or be dissatisfied by the action of the said commissioners, they may appeal therefrom to the supreme court of this state at any time within sixty days after the filing of the said certificate, and the said court shall order a jury, which jury shall assess the value of the said bridge and franchise, and the trial thereof shall be conducted as in other cases of trial by jury, and the final conclusion of said court shall be conclusive as to the said valuation, and the amount already paid or deposited shall be increased or diminished accordingly; *provided*, that in case of appeal, but one issue shall be framed, and one jury ordered for the trial thereof, and that the trial of such appeal, whether taken by the said bridge proprietors or by the board of freeholders, shall be held in the county in which such bridge is situate.

Proviso.

Commissioners to take and subscribe oath.

6. SEC. 4. That before entering upon the duties hereinbefore specified, the said commissioners shall take and subscribe an oath before some person having authority to administer the same, that they will faithfully and impartially perform the duties required of them by this act; and the said commissioners shall be entitled to receive five dollars per day for the time they are necessarily employed by the duties imposed by this act.

May issue bonds.

7. SEC. 5. That for the purpose of paying the purchase money for such bridge, it shall and may be lawful for the board of chosen freeholders of the county wherein the same may be, and they are hereby authorized upon agreeing on the amount so to be paid, to issue the bonds of said county, under the corporate seal of said board, and signed by the director and attested by the clerk of said board, and countersigned by the county collector of said county, and of such denominations as they deem advisable, bearing legal interest, and not exceeding the sum required, with the

necessary expenses, and from the proceeds of said bonds to pay to the owners of such bridge, upon receiving full and complete conveyances, releases and acquittances of the franchises, privileges and bridge of the person or persons or corporation owning the same, and all other rights appertaining thereto; *provided*, said bonds by this act authorized, shall be sold under the order and directions of the board of chosen freeholders at public or private sale, as may seem to said board best for the interests of the county; *and provided further*, that said bonds shall not be sold or disposed of at less than ninety-five per centum of their par value.

Proviso.

8. SEC. 6. That the bonds issued by virtue of this act shall specify the purpose for which they are issued, and shall be a lien upon all the property of said corporation, and the faith of the inhabitants of said county shall be pledged for the payment of the principal and interest; the said bonds shall be so issued that one-tenth of the principal shall be paid fifteen years after date, and one-tenth every year thereafter until the whole sum shall be paid; the interest shall be payable semi-annually by the county collector.

Bonds to be a lien, &c.

Principal and interest, when payable

9. SEC. 7. That for the purpose of paying the interest on said bonds, and the principal of the same as they may become due, it shall be lawful for the board of chosen freeholders of the county where such bridge is so purchased, to raise the amount required by taxation in the same manner as other county taxes are raised.

Principal and interest may be raised by tax.

An act to empower bridge companies to mortgage their corporate rights and franchises to secure bonds or other indebtedness, to validate mortgages of corporate rights and franchises already executed, and declaring such mortgages to be a lien upon the corporate rights and franchises not included therein.

Approved February 27, 1877.

P. L. 1877, p. 32.

10. SEC. 1. That every bridge company incorporated by the laws of this state, and doing business, operating works, or owning property in this state, or partly in this state and partly in another state, and whose charter, or the supplements thereto, do not confer an express power to mortgage or convey in trust their corporate rights and franchises to secure their bonds, either issued or to be issued, be and is hereby authorized and empowered to execute a mortgage or mortgages of and upon their corporate rights and franchises, to secure the payment of any and all bond or bonds or other indebtedness, issued or incurred, or to be issued and incurred by such corporation.

Empowered to execute mortgages, &c.

11. SEC. 2. That all mortgages of or upon the corporate rights and franchises of such corporations heretofore given or executed without special authority be and the same are hereby validated and confirmed; *provided*, that said mortgages shall have been, or shall be, within one year after the passage of this act, recorded in the proper office or offices for recording the same.

Mortgages heretofore given validated.

Proviso.

12. SEC. 3. That every mortgage heretofore given or executed by any such corporation upon their corporate property, real or personal, to secure the payment of their bonds or other indebtedness, and recorded in the proper office for recording such mortgages, and in which mortgage the corporate rights and franchises of such company are not mentioned or included, shall be deemed and taken to be a mortgage, lien and incumbrance of and upon the corporate rights and franchises of the corporation which executed the same, from and after the passage of this act, with the same effect to all intents and purposes as if the said corporate rights and franchises were mentioned or included in said mortgage; *provided, however*, that such mortgage shall not be deemed or taken to be a lien or incumbrance, as provided in this section, unless the company shall execute and seal with their corporate seal, and file in the office of the secretary of state a certificate describing such mortgage in general terms, and setting forth that the said company, with the consent and authority of the stockholders holding a majority in amount of the stock of said company, desire and declare that such mortgage shall be deemed and taken to be a mortgage, lien and incumbrance of and upon the corporate rights and franchises of the said company.

Mortgages given to be a lien upon rights and franchises.

Proviso.