

said boroughs respectively, shall have like remedy under the said acts, as though they were herein enacted at full length.

JACOB HOLGATE, *Speaker*  
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the first day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

## CHAPTER XXXIX.

An ACT authorizing the Governor to incorporate the President, Managers and Company of the Smithfield turnpike road.

SECT. I. *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 <sup>Commissioners named.</sup> Thomas Armat, Daniel Stroud, Jacob Brown, James Burson, John Houser, Evan Thomas, Samuel Stokes, John Baker, Peter Kocher, John P. Arndt and Stephen Tuttle, 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 two or more books, and in each of them enter as follows, viz. “We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Smithfield turnpike road, the sum of fifty dollars each, for every share of stock in 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 of said company, in pursuance of an act of the general assembly, entitled “An act authorizing the governor to incorporate the president, managers and company of the Smithfield turnpike road,” <sup>Books to be opened.</sup> and shall thereupon give public notice in one or more public papers printed in the county of Northampton, one month at least, of the times and places when and where the said books shall be kept open to receive subscriptions for stock of the said company, <sup>Notice to be given.</sup> at which times and places some one of the said commissioners shall attend, and shall permit all persons to subscribe in the said books, in their own names or the names of any other persons who shall duly authorize the same, for any number of shares in the said stock; and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every juridical day for three days, or until said books shall have four hundred shares subscribed, and if at the expiration of the said three days the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books elsewhere, until the whole number of shares shall be subscribed for, of which adjournment <sup>Commissioners may adjourn and transfer</sup> and transfer, the commissioners aforesaid may give such public books.

notice as occasion may require; and when the whole number of shares subscribed for in all the said books amount to four hundred, the same shall be closed: *Provided always*, That every person offering to subscribe in said books, in his own name or any other name, shall previously pay to the attending commissioners, the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions and all other incidental expenses, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

**Proviso.**  
**Beginning and route of the road.**  
 SECT. II. *And be it further enacted by the authority aforesaid*, That the said road shall commence near Pimple Hill, in Northampton county, thence to the borough of Stroudsburg, and from the borough of Stroudsburg through Dutotsburg to the house of Henry Dills, in Upper Mount Bethel township.

**When letters patent may issue.**  
**Style of corporation.**  
**Powers and privileges.**  
 SECT. III. *And be it further enacted by the authority aforesaid*, That when twenty persons or more, shall have subscribed one hundred and fifty shares of said stock, the commissioners or a majority of them, shall certify, under their hands, the names of the subscribers and the number of shares subscribed for by each, to the governor, 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 subscribers, and if the subscription be not full at the time, those also who shall afterwards subscribe, into one body politic and corporate, in deed and in law, by the name, style and title of "The President, Managers and Company of the Smithfield turnpike road," and by the said name the subscribers shall have perpetual succession, and all the 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 shall be found necessary to fulfil the intention of this act, and of purchasing, taking and holding to them and their successors, and of selling and transferring, and conveying in fee simple, or for any less estate, all such lands and tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

**Notice to be given of the time of organizing the company.**  
 SECT. IV. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, as soon as conveniently may be after the said letters patent shall have been issued, shall give notice in one or more of the public newspapers of the county of Northampton, of the time and place, by them to be appointed, which shall not be less than twenty days from the publication of 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 said subscribers by ballot, to be delivered in person or by proxy duly authorized, one president and six managers, one treasurer and such other officers as they shall think necessary to conduct the business of the company for one year and

till other officers shall be chosen; and may make such by-laws, rules, orders and regulations, not inconsistent with the laws of the United States, or of this state, as shall be necessary for the well-ordering the affairs of the company, and generally have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits, in proportion to the distance, as are given and granted to the president, managers and company of the Easton and Wilkesbarre turnpike road: *Provided*, That the said president and managers shall not be compelled to cut more than twelve feet in width in such parts of the same as may lead through solid rocks, nor more than twenty feet in other difficult passes: *And provided also*, That no toll shall be demanded or taken from any person passing from one part of his or her farm to another part thereof, or to or from any place of worship, funeral, mill, school, election, or training: *And be it further provided*, That if the company shall not proceed to carry on the said works in four years, or shall not within ten years thereafter complete the said road, according to the true intent and meaning of this act, then in either of these cases, all and singular the rights, liberties and franchises hereby granted to the said company, shall revert to this commonwealth.

By-laws.  
Similar privileges to the Easton and Wilkesbarre turnpike.  
Proviso.  
2nd proviso.

SECT. v. *And be it further enacted by the authority aforesaid*, That as soon as the said company shall have completed five miles or more of the said road, the president and directors shall give notice thereof to the governor, who shall thereupon forthwith appoint three disinterested persons to examine the same, and report to him whether the road is executed in a sufficient and workman-like manner, and if their report shall be in the affirmative, then the governor shall, by licence under his hand and seal of the commonwealth, permit the president and managers to erect and fix such and so many gates or turnpikes upon or across the said road, as will be necessary and sufficient to collect the tolls which the company shall be entitled to demand and receive.

5 miles being completed tolls may be taken.

JACOB HOLGATE, *Speaker of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the first day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER XL.

An ACT to authorize the trustees of the Methodist Episcopal congregation in the borough of Carlisle, in the county of Cumberland, to sell and convey a lot of ground in said borough.

SECT. 1. *BE it enacted by the Senate and House of Representa-*