

arising therefrom to and for the use and improvement of the said borough of Erie.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the fifth day of February, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER XXXI.

AN ACT

Authorising the Governor to incorporate the President, Managers and Company of the Bethany and Canaan turnpike road.

SECT. 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 Moses Thomas, esquire, Isaac Dimmick, Jason Torrey, Mathias Keen and George Rix, of Wayne county, be; and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, They shall, on or before the first day of June next, procure a book and enter therein as follows, "We whose names are hereunto subscribed, do promise to pay to the President, Managers and Company of the Bethany and Canaan turnpike road, the sum of twenty-five dollars for every share of stock 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 the said company, in pursuance of an act of the General Assembly of this Commonwealth, entitled 'An act authorising the Governor to incorporate the president, managers and company of the Bethany and Canaan turnpike road.' Witness our hands the* day of

in the year of our Lord one thousand eight hundred and *" and thereupon shall give notice in one or more of the public papers printed nearest the route of the said road, of the time and place when and where the said book shall be open to receive subscriptions for the stock of the said company, at which time and place some two of the said commissioners shall attend, and permit and suffer all persons of lawful age, who shall offer, to subscribe in the said books in their own name, or in the name or names of any other persons*

Commissioners named.

Book to be procured.

Price of shares.

Notice of opening books.

Who may subscribe.

who shall authorise the same, for any number of shares of the said stock; and the said book shall be kept open for the purpose aforesaid at least six hours in every juridical day for the space of six days, or until eight hundred shares have been subscribed therein, and if at the expiration of the said six days, the said number of eight hundred shares shall not have been subscribed, the commissioners respectively may adjourn from time to time, and transfer the said book from place to place, until the whole number of shares aforesaid be subscribed, of which adjournments and transfers the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed shall amount to eight hundred the same shall be closed: *Provided always*, That every person offering to subscribe in the said book in his own name, or any other name, shall previously pay to the attending commissioners the sum of two dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the 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 and the officers chosen as hereinafter mentioned.

May adjourn and transfer books.

Number of shares to be subscribed.

\$2 to be paid at the time of subscribing.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when twenty or more persons shall have subscribed three hundred or more shares of the said stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed they shall certify under their hands and seals the names of the subscribers and the number of shares subscribed by each, to the Governor of this Commonwealth, 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 said subscriptions be not full at the time, then those who shall afterwards subscribe to the number aforesaid, 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 Bethany and Canaan turnpike road," and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and 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 shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple, or for any lesser estate, all such lands, 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.

When letters patent may issue.

Style of corporation.

Powers and privileges.

SECT. 3. *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 be sealed and obtained, shall give notice in one or more of the public papers printed nearest the route of the said road, of a time and place by them to be appointed, not 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 the said subscribers, by ballot, to be delivered in person or by proxy duly authorised, one president, twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year and until other such officers shall be chosen; and shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this Commonwealth, as shall be necessary for the well-ordering the affairs of the said company: *Provided always,* That no person shall have more than ten votes at any election, or in determining any question arising at such meeting, whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under that number: *Provided nevertheless,* That all future annual elections of the said corporation shall be held, with such notice and in manner and form as aforesaid, on the first Monday in January in every year, at such place as shall be fixed by their by-laws for that purpose.

Notice to be given of organizing the company.

What officers to be chosen.

Of By-laws.

Number of votes limited.

May enter enclosures, &c.

Mark the route.

Have like powers and receive like tolls as the Coshecton & Great-bend turnpike company.

Proviso.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be lawful to and for the said president and managers, their superintendants, surveyors, engineers, artists and chain bearers, to enter in and upon all and every the lands, tenements and enclosures in, through and over which the said intended turnpike road may be thought proper to pass, and examine the ground most proper for the purpose, as well as the materials in the vicinity that will be necessary in making and constructing the said road, and to survey, lay down, ascertain, mark and fix such route or track for the same road, as in the best of their judgment and skill will combine shortness of distance with the most practicable ground, from Rix's gap in the Moosic mountain, in Canaan township, to the town of Bethany, and thence passing through Bethany, on Court street, to the Coshecton and Great-bend turnpike road near the house of Benjamin Conklin, in Damascus township, in Wayne county, and generally they shall have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, as well as for all the subsequent concerns of the corporation, 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 Coshecton and Great-bend turnpike road: *Provided,* That if the company shall not proceed to carry on

the work within three years after the passing of this act, or shall not within ten years afterwards 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.

SECT. 5. *And be it further enacted by the authority aforesaid,* That if the company hereby authorised to be incorporated, shall at any time issue any note or notes in the nature of bank notes, or carry on any business in the nature of banking, then or in either of these cases all and singular the rights, privileges and franchises hereby granted to the said company, shall cease and revert to this Commonwealth.

REES HILL, *Speaker of the
House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the fifth day of February, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER XXXII.

AN ACT

To authorise the Governor to incorporate a company for improving the navigation of the Lackawana creek.

SECT. 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 Noah Stevens, Stephen Griffin, Isaac Hart, John I. Ding and John Waters, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, They shall, on or before the first Monday in May next, procure a sufficient number of books, one or more of which shall be opened at some convenient place or places in the township of Pittston and borough of Wilkes-barre, in the county of Luzerne, and in each of them enter as follows, "We whose names are hereunto subscribed, do promise to pay to the President and Managers of the Lackawana Navigation Company, the sum of twenty-five dollars for every share of stock in said company set opposite to our respective names, in such manner and proportions, and at such

Commissioners named.

Procure books.

Price of shares.