

CHAPTER CLXXVII.

AN ACT

Authorising the Governor to incorporate the Washington and Pittsburg turnpike road company.

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 David Atcheson, Alexander Murdock, David Shields, Alexander Reed, Parker Campbell, John Hoge and Thomas H. Baird, of the borough of Washington, Joseph Clokey, George Morgan, Craig Ritchie and Robert Mahon, of and near Canonsburg, William M'Candless, Henry Baldwin, William Wilkins, Thomas Cromwell and George Evans, of the city of Pittsburg, be, and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say, They, or a majority of them, shall, on or before the first day of June next, procure three or more books and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Washington and Pittsburg turnpike company, the sum of fifty dollars for each and 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 said president and managers of the said company, in pursuance of an act of the General Assembly of the Commonwealth, entitled 'An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company.' Witness our hands the day of _____ in the year of our Lord one thousand eight hundred and _____." And the said commissioners, or a majority of them, shall give notice in one newspaper printed in the borough of Washington, and two printed in the city of Pittsburg, one calendar month, of the times and places where the said books shall be opened to receive subscriptions of stock for the said company, at which respective times and places two or more of said commissioners shall attend, and permit all persons of lawful age, who shall offer, to subscribe in the said books in their own name, or the names of any other person or persons who shall duly authorise 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 the space of six days, or until the said books have two thousand shares subscribed, or if at the expiration of the said six days, the books as aforesaid shall not have the said two thousand shares subscribed, then the said commissioners may adjourn from time to time until the whole number of shares be subscribed, of which adjourn-

Commissioners named..

Books to be opened.

\$50 per share.

Notice of the time & place of opening the books.

Who may subscribe.

May adjourn and transfer books.

Proviso.

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

When letters patent may issue.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when fifty persons or more have subscribed five 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, under their hands and seals, certify to the Governor the names of the subscribers and the number of shares subscribed by each, and thereupon it shall 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 then also 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 Washington and Pittsburg Turnpike Road Company;" 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 estate, 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.

Style of corporation.

Their powers and privileges.

Notice to be given of the time & place of organizing the company.

SECT. 3. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, as soon as conveniently may be after the letters patent shall be sealed and obtained, shall give notice in one newspaper printed in the borough of Washington, and two newspapers printed in the city of Pittsburg, of a time and place by them 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 votes of the said subscribers then present, by ballot, to be delivered in person or by proxy duly authorised, one president, eight 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 such other officers shall be duly chosen; and the said managers so chosen, and their successors, shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution or laws of the United States or of this state, as shall be necessary for the well-ordering the affairs of the company, and shall have power to lay out and complete a turnpike road from the town of Washington, in the county of Washington, through Canonsburg, to the bank of the Monongahela river opposite the end of Smithfield street in the city of Pittsburg, 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 Harrisburg and Pittsburg turnpike road, by an act passed the twenty-fourth day of February, one thousand eight hundred and six: *Provided*, That no toll shall be demanded or taken from any person passing or repassing from one part of his farm to another, or to or from any place of public worship, funeral, militia training, general election, or from any student or child going to or from any school or seminary of learning: *And provided also*, That if the company shall not proceed to carry on the work in three years after the passing of this act, or, shall not within ten years 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 company, shall revert to the Commonwealth.

What officers and how chosen.

Of by-laws.

Like powers, &c. to those given to the Harrisburg & Pittsburg turnpike company.

Proviso, for certain exemptions from toll.

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

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-fifth day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.