

In what cases
dams may be
erected.

And how.

SECT. II. *And be it further enacted by the authority aforesaid,* That nothing in this act contained shall be deemed taken or understood to prevent any person or persons possessing lands on said streams of water, who before the passing of this act, had authority under the laws of this commonwealth to erect a dam, from erecting any such dam or dams that he, she or they may think proper; *Provided always,* That every such dam or dams be so constructed with a proper slope or slopes erected in the most convenient part thereof so that rafts or boats may not be obstructed in passing down the said waters, which slope or slopes shall be at least twenty feet wide, and be one foot lower than the other parts of said dam, the surface whereof shall be made of wood or other materials well compacted together, so that as little as possible of the water may be lost in passing down the same; and for every foot said slope shall be in height, it shall extend eight feet down the stream.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXIV.

An ACT authorizing the governor to incorporate a company for making an artificial road from, Mount Pleasant by Bethany, and the Narrows of Lackawaxen, to Dingman's ferry, in Wayne county.

Commissioners
named.

shall procure
three books.
Entry therein.

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 Edward Tilghman, Thomas Stewardson and William Drinker of the city of Philadelphia; Daniel W. Dingman, Dan. Dimmick, Matthew Ridgway, Abisha Woodward Jason Torry and Oliver Granger, of Wayne county, be, and they are hereby appointed commissioners to do and perform the several things herein after mentioned; that is to say, they shall on or before the first day of June next, procure three books, and in each of them enter as follows, "We whose names are hereunto subscribed do promise to pay to the president, managers and company of the Bethany and Dingmanschoice turnpike road; the sum of fifty dollars for 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 president and managers of the said company in pursuance of an act of the general assembly"

of this commonwealth, entitled, " An act authorizing the governor to incorporate a company for making an artificial road from Mount Pleasant by Bethany, and the Narrows of Lackawaxen to Dingman's ferry, in Wayne county." Witness our hands the day of _____ in the year of our Lord, one thousand eight hundred and _____," and thereupon shall give notice in two of the public papers printed in the city of Philadelphia, and in one or more of the public papers printed nearest the route of the said road, for twenty days at least, of the times and places when and where the said books shall be open to receive subscriptions for the stock of the said company; at which respective times and places 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 names or in the name or names of any other persons who shall duly authorize the same, for any number of shares of 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 book opened at Philadelphia shall have two hundred shares therein subscribed; the said book opened at Dingmanschoice shall have three hundred shares therein subscribed; and the said book opened at Bethany shall have three hundred shares therein subscribed; and if at the expiration of the said six days the books aforesaid, or any of them, shall not have the respective number of shares as aforesaid therein subscribed, the commissioners respectively may adjourn from time to time and transfer the said books from place to place until the whole number of shares shall 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 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 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 herein after mentioned.

Notice to be given of the opening of the books.

Two of the commissioners to attend.

Who may subscribe.

How long books to be kept open.

Number of shares to be subscribed.

Commissioners may adjourn and transfer the books.

Notice of to be given.

When the books shall be closed.

\$ dollars to be paid on each share at subscribing.

How to be appropriated.

Subscriptions of stock to be certified to the governor.

SECT. II. *And be it further enacted by the authority aforesaid,* That when fifty persons or more shall have subscribed two 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 pa-

Who shall incorporate the subscribers.

Style of the corporation.

And privileges.

Of organizing the corporation.

Officers to be elected.

Who may make by-laws, &c.

No member to have more than ten votes, &c.

Notice to be given of elections.

tent 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 Dingmanschoice 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 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 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

SECT. II. *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 two of the public papers in Philadelphia, and 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 votes of the said subscribers by ballot to be delivered in person or by proxy duly authorized, 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 aforesaid, on the second Monday in January in every year, at such place as shall be fixed by their by-laws for that purpose.

SECT. IV *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, tenement and inclosures 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 the Coshecton and Great Bend turnpike road, beginning at the junction of the north and south road with the Coshecton and Great Bend turnpike, betwixt the houses of Joseph Tanner and John Granger in Centreville, in Mount Pleasant township, in Wayne county, to the town of Bethany, and thence by the narrows of Lackawaxen river to Dingman's ferry, on Delaware river in Delaware township, in Wayne county; and generally they shall 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 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.

Lands may be entered upon &c.

And materials taken.

Route of the road.

Powers and restrictions of the company.

Work to be commenced in three and completed in ten years.
Penalty on failure.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate*

APPROVED—the second day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXXV.

An ACT to authorize John Wireman and John Wright, executors of the estate of Henry Wierman, deceased, to convey a certain lot of land therein described, to Nicholas Wierman.

WHEREAS it appears that Henry Wierman, late of Huntingdon township, Adams county, did in his lifetime sell to John Wierman, senior, a certain lot or piece of land in the township aforesaid, containing twenty-one acres and seventy perches with the usual allowance, and received a part of the purchase money for the same; *And whereas* the aforesaid John Wierman, senior, is since deceased, and by his will devised the aforesaid lot