

CHAPTER CLX.

An ACT to enable the governor to incorporate a company for making an artificial road, by the best and nearest route, from the town plot of New-Baltimore, in the county of Bradford, to the New-Milford turnpike, at or near the first mile stone of said turnpike.

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*

William Meyer, Theron Darling, and Barley Coburn, of the county of Bradford; and John P. Arndt, and Benjamin Dorrance, of the county of Luzerne, 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 of August next, procure two 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 New-Baltimore turnpike road, the sum of fifty dollars 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 the said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An act to enable the governor to incorporate a company for making an artificial road, by the best and nearest route, from the town plot of New-Baltimore, in the county of Bradford, to the New-Milford turnpike, at or near the first mile stone of said turnpike." Witness our hands the

day of _____
in the year of our Lord, one thousand eight hundred and _____

and shall thereupon give notice in two of the public newspapers, printed in the borough of Wilkesbarre for one calendar month at least, of the times and places in the said county, when and where the said books shall be kept 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 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 the space of six days, or until the said book opened in the county of Bradford shall have one hundred and fifty shares therein subscribed; the said book opened at Wilkesbarre, one hundred shares therein subscribed; and if at the expiration of the said six days, the books aforesaid, or either of them, shall not have the respective number of shares aforesaid therein subscribed, the said commissioners respectively may ad-

Commissioners appointed.

Books to be procured. Entry therein.

Notice to be given.

Two commissioners to attend. Whom may subscribe.

How long the books to be kept open.

journal from time to time, and transfer the said books from place to place aforesaid, until the whole number of shares shall be subscribed; of which adjournments and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares subscribed in all the said books shall amount to two hundred and fifty, the same shall be closed; *Provided always*, that every person offering to subscribe in the said books, in his own 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 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 hereafter mentioned.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty persons or more shall have subscribed one hundred or more shares of the said stock, the 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; and thereupon it shall and may be lawful for the governor, by letters patent under his hand and seal of the state, to create and erect the subscribers, and if the said subscriptions be not full at the time, then also those who shall afterwards subscribe, to the number aforesaid, into one body politic and corporate, by the name, style, and title of "The president, managers, and company of the New-Baltimore 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 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 less 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.

SECT. III. *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 printed at Wilkesbarre,

May be transferred.

Notice to be given of. When the books shall be closed. \$5 per share to be paid on subscribing.

How to be appropriated.

Commissioners to certify subscriptions.

Governor to issue letters of incorporation.

Style of the company. And privileges of.

Notice to be given of organizing the company.

Officers to be chosen.

Managers to make by-laws, &c.

And to have similar powers with the Easton and Wilkesbarre road company.

Road to be commenced within three years.

And completed within ten.

Penalty on failure.

of a time and place by them to be appointed, not less than thirty 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 and 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 such other officers shall be 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 and laws of the United States, and of this state, as shall be necessary for the well ordering the affairs of the said 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 if the said company shall not proceed to carry on the said work in 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, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties, privileges and franchises, by this act granted to the said company.

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

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

APPROVED—the thirty-first day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER CLXI.

An ACT supplementary to an act, entitled "An act to authorize and direct the governor to incorporate a company, for erecting a permanent bridge over the river Schuylkill, at or near where the floating bridge of Abraham Sberidan, is at present situate, known by the name of the "Upper Ferry," in the county of Philadelphia.

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 the "managers and company for erecting a permanent bridge over the river Schuylkill, at or near where the floating bridge is at present situate, and known by the name of the "Upper Ferry,"*

When the bridge maybe erected over Schuylkill.