

CHAPTER CXIV.

AN ACT

To authorise the Governor to incorporate the Lackawana 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 John Stoddart, Ebenezer Slocum, Ebenezer Drake, John Gardner and Eleazer Cary, 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 May next, procure two or more books and enter therein, respectively, as follows: "We, whose names are hereunto subscribed, do promise to pay unto the president, managers and company of the Lackawana turnpike road, the sum of fifty 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 said president and managers, in pursuance of an act of the General Assembly, entitled 'An act to authorise the Governor to incorporate the Lackawana turnpike road company.' Witness our hands the

Commissioners names.  
Duties of.

day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_."

And shall, thereupon, give notice in one or more of the public newspapers printed at Wilkesbarre, in the county of Luzerne, for one calendar month at least, of the times and places in the said county, when and where the said books will be opened to receive subscriptions for the stock of said company; at which respective times and places one or more of the said commissioners shall attend, and permit all persons of lawful age to subscribe in the said books, in their own name or names, or those of any other person 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 purposes aforesaid, at least six hours in every juridical day for the space of six days, or until the said books shall have two hundred and fifty shares subscribed therein; and if at the expiration of the said six 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 from place to place until the whole number of shares shall be subscribed, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require: *Provided always,* That every person offering to subscribe to the said books, either in his own name or name of

Notice to be given of opening the books.

Proviso.

any other person, shall previously pay to the attending commissioners the sum of five dollars on 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.

SECT. 2. *And be it further enacted by the authority aforesaid,* That as soon as twenty persons or more shall have subscribed one hundred shares or more of the said stock, the commissioners, or a majority of them, 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 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 may thereafter become subscribers, into one body politic and corporate, by the name, style and title of "The President, Managers and Company of the Lackawana Turnpike Road," for the sole and only purpose of making an artificial road from at or near Wright's forge on the Lackawana creek, in the township of Pittston, in the county of Luzerne, by the best and nearest route to the Easton and Wilkesbarre turnpike road at or near the thirteen mile stone; 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, 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.

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 are obtained, shall give notice, in one or more of the public newspapers printed in the county of Luzerne, of a time and place, by them to be appointed, not less than twenty days from the publication of such 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 authorised, one president and six managers; one treasurer and such other officers as may be necessary to conduct the business of the said corporation for one year and until such other officers shall be chosen; and the said president and managers so chosen, and their successors, shall and may make such by-laws, rules and regulations, not inconsistent with the constitution or laws of the United States or of this state, as shall be necessary for the well-or-

Of letters  
patent.

Style of the  
company.

Powers of.

How and  
when the  
company  
shall be or-  
ganized.

Of by-laws.

dering and conducting the affairs of the corporation ; and the said company, when thus incorporated and organized, shall have power, and they are hereby authorised to make an artificial turnpike road, to commence at or near Wright's forge on the Lackawana, by the best and nearest route to the Easton and Wilkesbarre turnpike road, at or near the thirteen mile stone, and to erect one or more gates, at which tolls shall be received as soon as the said road shall be completed, and generally have like powers, authorities and privileges necessary for making, completing and keeping in repair the said road, and be subject to all duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits, in proportion to the distance, as are given, granted to and imposed upon the president, managers and company of the Easton and Wilkesbarre turnpike road : *Provided*, That all notices of elections, or of the demand of any instalment of stock, shall be sufficient if published in one or more of the public newspapers printed in Luzerne county for four weeks : *And provided also*, That when the amount annually received for tolls shall be more than ten per cent. upon the capital stock, the rates of tolls shall be reduced so as not to exceed ten per cent. ; and if the said company shall not proceed to carry on the said work within two years from the passing of this act, and complete the same within five years thereafter, the privileges and authorities hereby authorised to be granted, shall revert to this Commonwealth.

Have similar powers to the Easton and Wilkesbarre turnpike company.  
Provided.

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

ISAAC WEAVER,  
*Speaker of the Senate.*

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

SIMON SNYDER.

## CHAPTER CXV.

### AN ACT

To authorise the commissioners of Franklin county to sell and convey a lot of ground whereon the jail of said county stands, and to purchase another lot or lots of ground to erect a new one thereon.

WHEREAS it is represented to the Legislature, that the erection of a new jail in the county of Franklin is necessary