

## CHAPTER CXXVIII.

## AN ACT

Authorising the Governor to incorporate a company to make a turnpike road from Tunkhannock in Luzerne county, to Wysox in Bradford county.

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 J. M. Piollet, Jonathan Stevens, John Hollenback, Salmon Keeney, Daniel Sterling, Cyrus Avery and John Buckingham, 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 August next, procure two or more 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 Tunkhannock and Wysox 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 authorising the Governor to incorporate a company to make a turnpike road from Tunkhannock in Luzerne county, to Wysox in Bradford county," witness our hands the            day of            in the year one thousand eight hundred and            ."* And shall thereupon give notice in at least one newspaper printed in each of the counties of Luzerne and Bradford for one calendar month at least, when and where the said books shall be opened to receive subscriptions for the stock of the said company, at which respective times and places some one of the said commissioners shall attend and permit all persons of lawful age to subscribe in the said books, until the number of five hundred shares shall be subscribed, after which the books shall be closed: *Provided, 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, 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 hereinafter mentioned.*

Commissioners named.

Books to be procured.

Undertaking of subscribers.

Notice.

Subscriptions to be taken.

Proviso.

§ 5 a share to be paid on subscribing.

SECT. 2. *And be it further enacted by the authority aforesaid, That when twenty or more persons shall have subscribed*

one hundred or more shares in the said books, the said commissioners respectively may, and when the whole number of shares shall be subscribed, shall certify under their hands and seals the names of the subscribers and the number of shares by them subscribed 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 erect and create the subscribers, and if the subscription be not full at the time, then those who shall thereafter subscribe to the number aforesaid, into one body politic and corporate in deed and in law, by the name, style and title of "The Tunkhannock and Wysox Turnpike company," 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 capital stock, and the increase and profits thereof, and of enlarging the same 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 in fee simple or for any less estate all such lands, tenements, hereditaments and estates real and personal as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure, and of suing and being sued, and doing all and every other thing which a corporation or body politic may lawfully do.

*SECT. 3. And be it further enacted by the authority aforesaid,* That the six persons first named in the letters patent as soon as conveniently may be after sealing the same, shall give notice in at least two papers printed in the counties of Luzerne and Bradford, of a time and place by them to be appointed, not less than thirty days from the time of issuing 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 authorised, one president, six 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 may make such bye-laws, rules, orders and regulations not inconsistent with the laws and constitution of this state or of the United States, as shall be necessary for the well ordering the affairs of the corporation, and the said company when thus incorporated shall have power, and is hereby authorised to make an artificial turnpike road commencing at Tunkhannock on the east side of the Susquehanna river, at or near where the Wilkesbarre and Bridgewater turnpike road crosses the said river, thence following as far as practicable the main post route leading up the river to or near a guide board standing near the house of J. M. Piollet, in the township of Wysox, and generally to have all the powers, authorities and

When letters patent may issue.

Style & title.

Rights and privileges.

Proceeding to organize the company.

Officers to be chosen.

Bye-laws.

Route of the road.

privileges necessary for carrying on and completing, maintaining and keeping in repair the said road, and shall receive like tolls, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures which are given and granted to or imposed upon the president, managers and company of the Susquehanna and Lehigh turnpike road, in and by an act passed the nineteenth day of March one thousand eight hundred and four.

SECT. 4. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work in five years after the passing of this act, or shall not within five years thereafter complete the said road, the rights, liberties and franchises hereby granted to the said company, shall revert to this commonwealth.

WILLIAM DAVIDSON, *Speaker  
of the House of Representatives.*

ISAAC WEAVER,  
*Speaker of the Senate.*

APPROVED—the twenty-third day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

## CHAPTER CXXIX.

### *AN ACT*

To repeal the act, entitled “An act to raise by way of lottery a sum not exceeding three thousand dollars, to defray the expenses of building a church in the town of Somerset, and for other purposes.”

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 from and after the passage of this act, the act entitled “An act to raise by way of lottery a sum not exceeding three thousand dollars, to defray the expenses of building a church in the town of Somerset,” passed the eleventh day of February, one thousand eight hundred and five, shall be, and the same is hereby repealed.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the judges of the court of common pleas of Somerset county, at their first session or as soon as may be, are hereby authorised and required to appoint three honest and disinterested persons as auditors to adjust and settle upon equitable principles, the accounts of the commissioners appointed by the act which is hereby repealed, namely, Peter

Placed on the same footing as the Susquehanna and Lehigh company.

Time limited to commence and complete the road.

Three auditors to be appointed to settle the commissioners accounts.