

adjoining navigable streams of water declared public highways, to erect dams upon such streams for mills and other water works," passed the twenty-third of March, one thousand eight hundred and three.

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 CXLII.

AN ACT

To authorise the Governor to incorporate a company to make an artificial road, to commence at the most suitable place on the United States' turnpike road, between Brownsville and Frost's tavern, Fayette county, thence through Connelsville, the nearest and best way to intersect the Washington and Bedford turnpike road, at or near Somerset.

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 Thomas M. Kibben, Valentine Giesy, James Paul, John B. Trevor, Daniel Rogers, Hugh Thompson and Abraham Baldwin, of Fayette county, and Godfrey Stall, Adam Starner, Jacob Laud, George Chorpponing, Peter Will, John Kuser, senior, George Gebhart and Michael King, of Somerset county, 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 September next, procure a book or books and enter therein as follows: "We whose names are hereunto subscribed, do promise to pay to the President and Managers of the Brownsville, Connelsville and Somerset turnpike road company, the sum of fifty dollars for every share of stock set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the General Assembly of this commonwealth, entitled "An act authorising the Governor of this commonwealth to incorporate a company for making an artificial road, to commence at the most suitable

Commissioners named.

Books to be procured.

Engagement of subscribers.

ble place on the United States turnpike road, between Brownsville and Frost's tavern, Fayette county, thence through Connelville, the nearest and best way to intersect the Washington and Bedford turnpike road, at or near Somerset." Witness our hands the day of in the year of our Lord one thousand eight hundred and .” And thereupon give notice in one or more newspapers printed nearest the route of said road, of the time and place when and where said books shall be open to receive subscriptions for the stock of said company, at which time and place some two of said commissioners shall attend and permit and suffer all persons of lawful age who shall offer to subscribe in the said book, in their own or in the name or names of any other persons who shall authorise the same, for any number of shares of the said stock; and the said book shall be kept open for the purpose aforesaid at least six hours in every juridical day for the space of six days, or until fifteen hundred shares have been subscribed therein, and if at the expiration of the said six days, the said number of fifteen hundred shares shall not have been 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 aforesaid be subscribed; of which adjournment 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 fifteen hundred shares, the same shall be closed: *Provided always*, That every person offering to subscribe in said book in his own or the name of any other person, shall previously pay to the attending commissioners the sum of four dollars for every share so subscribed, out of which shall be paid the expenses attending the same, together with other incidental charges, and the remainder shall be paid over to the treasury of said corporation as soon as the same shall be organized and the officers chosen as hereinafter mentioned.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when twenty or more persons shall have subscribed eight hundred 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 patent under his hand and seal of the state, to create and erect the subscribers, and if the subscription 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 Brownsville, Connelville and Somerset 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

Notice.

Subscriptions to be taken.

Books to be kept open till 1,500 shares are subscribed.

Power to adjourn.

Proviso.

\$4 per share payable on subscribing.

Proceeding to procure letters patent

Style & title.

Powers and privileges.

shall be capable of taking and holding the 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 true 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 or can lawfully do.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid as soon as conveniently may be after said letters patent shall have been obtained, shall give twenty days notice in the newspapers convenient to the route of said road of the time and place appointed, at which time and place said subscribers shall proceed to organize the said corporation, and shall choose by a majority of the said subscribers present, by ballot to be delivered in person or by proxy duly authorized, one president, ten managers, a treasurer, and such other officers as they deem necessary to conduct the business of said company for one year, and until other officers are chosen; and shall and may make such bye-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 said company: *Provided always,* That no person shall have more than ten votes at any election, or determining any question occurring at such meeting, whatever number of shares he or they may have subscribed for, and that every subscriber shall be entitled to one vote for each share subscribed for under that number: *Provided nevertheless,* That all future annual elections of said corporation shall be held with such notice and in manner and form aforesaid, on the Monday of January in every year, at such place as shall be affixed by their bye-laws for that purpose.

Proceeding to organize the company.

Officers to be chosen.

Bye-laws.

Proviso as to voting.

2d proviso.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the said president and managers, their superintendents, surveyors, engineers, artists and chain bearers, to enter in and upon all and every the lands and tenements and enclosures, 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 tract 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 United States turnpike road, south east of Brownsville, through Connelville, to intersect the Washington and Bedford turnpike road, at or near Somerset aforesaid, and generally

Powers of the company to enter on lands, &c.

Route of the road.

Placed on the footing of the Harrisburg and Pittsburg company as to tolls, &c.

Proviso, limiting the time of proceeding on and completing the road.

they shall have the like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, as well as for all the subsequent concerns of said corporation, 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: *Provided*, 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 and in either of those cases all and singular 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-fourth day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER CXLIII.

AN ACT

Relative to the boroughs of Waynesburg and Greensburg.

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 the act entitled “An act to regulate fences, and to appoint appraisers in each township in the counties of Bedford, Northumberland, Westmoreland, Washington and Fayette, and to encourage the raising of swine,” passed the twenty-seventh day of March, one thousand seven hundred and eighty-four, be, and the same is hereby repealed, so far as it respects and is in force within the borough of Waynesburg, in the county of Greene, and the borough of Greensburg, in the county of Westmoreland.

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

ISAAC WEAVER,
Speaker of the Senate.

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

WILLIAM FINDLAY.