

2d proviso.
Not to prevent
acknowledg-
ment before
supreme
court, &c. as
heretofore.

In such cases
court may de-
cide upon va-
lidity, &c. of
sale.

Return of
writ.

Acknowledg-
ment before
return day.

Court taking
acknowledg-
ment may di-
rect distribu-
tion of pro-
ceeds of sale
if paid over.

before allowing the same to be acknowledged, shall be satisfied that the parties interested have had reasonable notice thereof: *And provided also*, That nothing in this act contained, shall be taken to prevent the acknowledgment of such deeds as aforesaid, before the supreme court or any circuit court or court of nisi prius as heretofore.

SECT. 2. *And be it further enacted by the authority aforesaid*, That the said courts of common pleas and district courts, in all such cases as aforesaid, when application shall be made to them to allow the acknowledgment of any such deed as aforesaid, shall have power to decide upon the regularity and validity of the sale, and to set the same aside if not made according to law; and it shall be the duty of the sheriff or coroner, before or immediately upon the acknowledgment of any such deed, to return the writ, by virtue of which the sale shall have been made, into the office of the clerk of the court from which the same shall have issued; and the acknowledgment of any such deed made and taken according to the provisions of this act, shall be good, notwithstanding the same may be done before the return day of such writ. And if money, being the proceeds of any such sale or sales, as aforesaid, shall be paid into any court of common pleas or district court, before which the deed or deeds for the property sold shall be acknowledged, such court may order and direct the distribution thereof in like manner as if the sale or sales had been made by virtue of process issued from such court.

FREDK. SMITH, .

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 46.

AN ACT

To authorise the Governor to incorporate the president, managers and company of the Armstrong and Clearfield turnpike road company.

Commission-
ers appointed
to open books,
&c.

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 Blair, Jacob Pontious and Joseph Marshall, of Armstrong county, Charles C. Gaskill and John

W. Jenks, of Jefferson county, John Ewing and Henry Kinter, of Indiana county, David Ferguson and John Irvine, of Clearfield county, William A. Thomas and Hardman Philips, of Centre county, be and 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 May next, procure a book and enter in it as follows: "We, whose names are hereunto subscribed, do promise to pay unto the president, managers and company of the Armstrong and Clearfield turnpike road, the sum of twenty-five dollars for every share of said stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined on 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 authorise the Governor to incorporate the president, managers and company of the Armstrong and Clearfield turnpike road.' As witness our hands the day of in the year of our Lord one thousand eight hundred and ;" and shall thereupon give notice in one or more of the newspapers printed in the counties of Armstrong, Indiana, Centre and Clearfield, for one calendar month at least, of the time and place, when and where the said book shall be opened to receive subscriptions for the stock of the said company; at which time and place, some one of the 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 name or in the name of any other person who shall duly authorise the same, for any number of shares of the said stock; and the said book shall be kept open, respectively, for the purpose aforesaid, for at least six hours in every juridical day for the space of three days, and until the said book so opened, shall have two hundred shares therein subscribed; and if at the expiration of the said three days, the book aforesaid, shall not have the number of shares aforesaid therein subscribed, the said commissioners respectively may adjourn from time to time, and transfer the book from place to place until the whole number of shares shall be subscribed; of which adjournment and transfer, the said commissioners shall give such notice as the occasion may require.

Form of sub-
scription.

\$25 per share

Whole No.
200 shares.

SECT. 2. *And be it further enacted by the authority aforesaid,* That whenever ten or more persons shall have subscribed one hundred shares, or more, of said stock, the commissioners 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 the seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, then also those who

When 10 per-
sons take 100
shares char-
ter may issue.

shall afterwards subscribe to the number aforesaid, into one body corporate and politic, by the name, style and title of "the president, managers and company of the Armstrong and Clearfield 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 and meaning 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 doing all and every other matter or thing which a corporation or body politic may lawfully do.

Privileges, immunities, &c.

Organization. *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 shall be sealed and obtained, shall give notice in the public papers aforesaid, of the time and place by them to be appointed, not less than thirty days from the publication of the first notice, of what time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of their own subscribers, by ballot, to be delivered in person or by proxy duly authorised, one president, eight 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 and regulations, not inconsistent with the constitution and laws of this state and of the United States, as shall be necessary for the well ordering of the affairs of the said company; and generally, have like powers, authority and privileges for carrying on and completing said turnpike road; and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to take tolls as soon as five miles of said road shall be completed, in proportion to the distance, as are given and granted to the president, managers and company of the Philipsburg and Susquehanna turnpike road. And the said Armstrong and Clearfield turnpike road shall commence at the borough of Kittanning, in the county of Armstrong; thence to Punxatawney, in the county of Jefferson, and to intersect the Northern turnpike at the mouth of Anderson's creek, in Clearfield county: *Provided.* That if the said company shall not proceed to carry on the said work within

President and managers, treasurer, &c.

Placed on same footing as Philipsburg and Susquehanna road.

Commencement of location.

Termination.

Proviso.

five years after the passage of this act, and 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 the said cases, it shall and may be lawful for the legislature of this commonwealth, to resume all and singular the rights, privileges, liberties and franchises by this act granted to the said company.

Time of commencement of work and completion.

FREDK. SMITH,
Speaker of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The seventeenth day of February, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 47.

AN ACT

Authorising the sale of certain real estate.

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 Mary Toole, of the city of Philadelphia, be and she is hereby authorised, at such time and in such manner as the court of common pleas for the county of Philadelphia shall direct, to sell at public sale, all that certain messuage and lot of ground in Locust street, in the city of Philadelphia, and all that certain messuage and lot of ground in Washington street, in the said city, being the same property of which Mary Toole, the elder, died seized, and to execute a deed or deeds to the purchaser or purchasers, their heirs and assigns therefor, which shall be valid and effectual to vest in the purchaser or purchasers, all the right, title and interest which the said Mary Toole, the elder, had and held in the same at and immediately before her death: Provided however, That before such deeds be executed or rendered valid and effectual, the purchase money for the said property shall be paid into the said court, or security be given by the said Mary Toole, for the faithful appropriation and investment of said moneys, as is by this act directed.*

Mary Toole authorised to sell certain lots in Philadelphia.

Provido. Security to be given.

SECT. 2. *And be it further enacted by the authority aforesaid, That the proceeds of said sale, after the payment of all liens, shall be invested under the direction of the said court and secured for the use and benefit of such persons as are entitled to the said real estate, under the last will and testament of*

Balance of proceeds how disposed of.