

Increase of
capital.

Not to exceed
\$30,000.

Reservation
of right to
repeal.

Annual state-
ment to Audi-
tor General.

Tax on divi-
dends.

SECT. 23. *And be it further enacted by the authority aforesaid,* That if any increase of the capital stock be deemed necessary by the stockholders, to complete the said rail-road, it may be lawful for the said president, managers, and company, at a stated or special meeting convened for the purpose, to increase the number of shares, so that the capital of said company shall not exceed thirty-thousand dollars; and to receive and demand the money for shares so subscribed in like manner, and under like penalties, as hereinbefore provided for by the original subscription, or as shall be provided for by their by-laws.

SECT. 24. *And be it further enacted by the authority aforesaid,* That the legislature reserves the right to revoke, alter, or annul the charter hereby granted, at any time they may think proper, or to purchase the right of the said company, and the rail road, with its appurtenances, at any time after thirty years from the passage of this act, at a reasonable price and valuation.

SECT. 25. *And be it further enacted by the authority aforesaid,* That the president or secretary of the said company shall, annually, on the first Monday of September, transmit to the Auditor General, a full statement, under oath, of the said company; and that the said company shall pay to the commonwealth, a tax of eight per centum on all dividends which may exceed six per centum, on the capital stock actually paid.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

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

GEO. WOLF:

No. 137.

AN ACT

To authorise the Governor to incorporate a company for making a turnpike road, from the nearest eligible place on the Bethany and Dingman's Choice turnpike, not to exceed four miles from Honesdale, to the Narrows of the Delaware river, at Big Eddy, in Wayne 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 Moses Thomas, Nathan Skinner, Lot Jackson, Charles Forbes and John Forrey, be and they are hereby appointed commissioners to do and perform the several

Commissioners to open books.

things hereinafter mentioned, that is to say: they shall on or before the first day of September 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 and managers of the Honesdale and Big Eddy turnpike road company, the sum of twenty-five 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 said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An act to authorise the governor to incorporate a company for making a turnpike road from the nearest eligible place on the Bethany and Dingman's choice turnpike, not to exceed four miles from Honesdale, to the Narrows of the Delaware river, at Big Eddy, in Wayne county." Witness our hands the _____ day of _____ in the year of our Lord, one thousand eight hundred and _____;" and thereupon, shall give notice in two or more of the public papers printed nearest the route of the said road, for twenty days at least, of the time and places, when and where the said books shall be opened to receive subscriptions for the stock of the said company; at which times and places, one of the said commissioners shall attend and permit and suffer all persons of lawful age, who shall offer to subscribe in said books, in their own names, or in the name or names of any other persons who shall duly authorise the same, for any number of shares of said stock; and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every judicial day for the space of six days, or until the said books shall have four hundred shares therein subscribed; and if at the expiration of the said six days, the books aforesaid shall not have the said number of two hundred shares therein 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 shall 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 four hundred, the same shall be closed: *Provided always*, That every person offering to subscribe in said book, in his own or any other name, shall previously pay to the attending commissioner or commissioners, the sum of one dollar for every share to be subscribed, out of which shall be defrayed such incidental charges and expenses as may be necessary for taking such subscription, 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.

Form of subscription.

\$25 per share

Notice requisite.

Whole No. 400 shares.

Proviso.

\$1 to be paid on each share when subscribed.

SECT. 2 *And be it further enacted by the authority aforesaid,*

When 20 persons take 150 shares charter may be granted.

That when twenty persons or more, shall have subscribed one hundred and fifty 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; whereupon 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 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 and managers of the Honesdale and Big Eddy turnpike road company;" 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 the 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, of all such lands, tenements, hereditaments and estates, real and personal as shall be necessary to them in the prosecution of their work; 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.

Style.

Privileges and liabilities

SECT. 3 *And be it further enacted by the authority aforesaid,*

Organization of company.

That the commissioners aforesaid, as soon as conveniently may be, after the said letters patent shall be sealed and obtained, shall give public notice in two of the public papers printed nearest the route of the said road, of a time and place by them to be appointed, not less than twenty 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 subscribers, by ballot, to be delivered in by 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 said company for one year, and until such other officers be chosen; and 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 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 in determining any question arising at such meeting,

Officers proposed.

By-laws.

Provision. One vote each share up to ten.

whatever number of shares he may be entitled to; and that each person shall be entitled to one vote for every share by him held under that number.

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, artists and chain bearers to enter in and upon all and every the lands, 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 may be necessary in making and constructing the said turnpike road; and to survey, lay down, ascertain, mark and fix such route or track for the said road, as in the best of their skill and judgement will combine shortness of distance with the most practicable ground; and generally they shall 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 toll and profits in proportion to the distance, as are given and granted to the president and managers and company of the Coshecton and Great Bend turnpike road, in and by an act of assembly of this commonwealth, passed the twenty-ninth day of March, Anno Domini, eighteen hundred and four.

Right to enter enclosures to locate and for materials.
General powers similar to those of Coshecton and Great Bend company.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the president and managers of the said road, shall make or cause the same to be made, not less than forty nor more than fifty feet in width, and at least twenty feet thereof shall be made an artificial road, in the following manner, to wit: all the timber shall be taken out by the roots and removed from the road, which shall, when the original location is level, or nearly so, be at least two feet higher in the centre than at the sides; it shall be well and sufficiently ditched, so as to carry off the water, and keep the road in its foundation firm and dry; it shall be constructed of firm and substantial materials, composed of wood, gravel, stone, slate, sand or other hard substance, such as the nature of the ground along which the road may pass will admit of, so as to secure a solid foundation, a smooth and firm surface and a well made permanent highway, and so nearly level in its progress, that it shall in no place rise or fall more than will form an angle of five degrees with a horizontal line; and the said president and managers shall erect permanent bridges, with sufficient abutments and piers, over all the streams of water crossing the said road, and shall keep the said road and bridges in perfect order and repair.

Width, construction, &c. of road.
Bridges.

SECT. 6. And be it further enacted by the authority aforesaid,
 That if the said company shall not proceed to carry on the
 said work, within three years after the passing this act, or
 shall not within five years thereafter complete the same, ac-
 cording to the true intent and meaning of this act, then or
 in either of those cases, all and singular the rights, liberties,
 privileges and franchises hereby granted shall revert to the
 commonwealth.

To commence
 work in three
 and complete
 in five years.

FREDK. SMITH,
Speaker of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

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

GEO. WOLF.

No. 138.

AN ACT

To authorise the Governor to incorporate the president, managers and com-
 pany of the Bald Eagle, Nittany and Bellefonte turnpike road company.

*SECT. 1. Be it enacted by the Senate and House of Repre-
 sentatives of the Commonwealth of Pennsylvania in General
 Assembly met, and it is hereby enacted by the authority of the
 same, That William W. Huston, George Bressler, James
 Brown, Isaac McKinney, Thomas Burnside, Samuel H. Wil-
 son, Robert Tate, William Carner and John Rankin, 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 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 Bald Eagle, Nittany and Bellefonte
 turnpike road, the sum of fifty 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 common-
 wealth, entitled "An act to authorise the governor to incor-
 porate the president, managers and company, of the Bald
 Eagle, Nittany and Bellefonte turnpike road;" as witness
 our hands the day of in the year of our*

Commission-
 ers to open
 books.

Form of sub-
 scription.

650 per share.