

and allowed by the commissioners of said county, and paid by the treasurer thereof, on warrants drawn in the usual manner.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the fourth section of an act, entitled "An act authorising certain commissioners to view and lay out certain state roads," passed the sixteenth day of April, eighteen hundred and thirty, be, and the same is hereby repealed, so far as respects the road from Middleburg, to a place at or near Hartleton, in Union county. Part of act of 16th April, 1830, repealed, relative to Union county road.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the state road, laid out in pursuance of an act approved February twenty-third, eighteen hundred and twenty-seven, entitled "An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county," and vacated February nineteenth, eighteen hundred and twenty eight, be, and the same is hereby reinstated, as far as the same runs through the county of Lehigh. Relative to road from Kutztown to Mauch Chunk.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

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

GEO. WOLF.

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No. 145.

AN ACT

Authorising the Governor to incorporate the Lizard creek, Lehigh and Loyalhanna bridge companies, 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 Jacob Dinkey, John D. Bowman, John Horr, Jacob Andrews, George Kelchner and Thomas Craig, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say: they shall and may on or before the first day of June next, procure at least three books, and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the president, managers and company, for erecting a bridge over the river Lehigh, above Lizard creek, the sum of" Commissioners appointed to open books for Lizard creek bridge. Form of subscription.

§25 per share. twenty-five dollars for every share of stock in said company, set oppopite to our respective names, in such nanner and propotions, and at such times as shall be determined by the president and managers, in pursuance of an act authorising the governor to incorporate the Lizard creek, Lehigh and Loyalhanna bridge companies, and for other purposes. Witness our hands the                    day of one thousand eight hundred and                    ;” and shall thereupon give notice in at least one newspaper, printed in said county, and in such other newspapers as they may deem proper, 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 said books, until the number of two hundred and fifty 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.*

Notice.

Whole No.  
250 shares.  
Proviso.

\$5 to be paid  
on each share  
at time of  
subscribing.

When 10 per-  
sons take 100  
shares Govern-  
or to issue  
letters patent.

Style.

Privileges  
and liabilities.

SECT. 2. *And be it further enacted by the authority aforesaid, That when ten or more persons shall have subscribed one hundred or more shares in the said books, and paid five dollars on each and every share, the said commissioners respectively may, and when the whole number of shares shall be subscribed, shall certify under their hands and seats, 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 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, for erecting a bridge over the Lehigh river, at the most convenient place above the mouth of Lizard creek;” 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 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, 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 of doing all and every other thing which a corporation or body politic may lawfully do: *Provided*, That if the company hereby incorporated, shall presume to usurp the power of issuing any note or notes, in the nature of bank notes, or transact any business in the nature or manner of banking, then or in either case, the privileges hereby granted, shall revert to this commonwealth: *And provided also*, That if the said company shall not commence building the said bridge within three years after the passing of this act, and complete the same within three years thereafter, then the privileges hereby granted shall revert to this commonwealth.

Proviso.  
To have no banking privileges.

2d proviso.  
Bridge to be commenced in 3 and finished in 6 years.

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 newspapers, printed in said county, and such other newspapers as they may deem proper, 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 by-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 of the affairs of the corporation, and generally to have all the powers, authorities and privileges necessary for commencing, carrying on and completing, maintaining and keeping in repair the said bridge; and shall receive like toll, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, which are given and granted or imposed upon the president, managers and company, incorporated to erect a bridge over the river Lehigh, at the Water Gap, in the counties of Northampton and Lehigh, passed the twelfth day of March, one thousand eight hundred and twenty-six.

Organization of company.

Officers.

General powers similar to those of Lehigh Water Gap company

SECT. 4. *And be it further enacted by the authority aforesaid*, That Henry and Jordan, Joseph Kerr, Jacob D. Stroud, Stogdell Stokes and William D. Walton, of the county of Northampton, in this commonwealth, be and hereby are authorised to build a bridge, for public use, over McMichael's creek, near the public road of Joseph Kerr, in Stroud town-

Certain persons authorised to build a bridge over McMichael's creek.

Proviso. Not to injure navigation. ship: *Provided*, That said bridge shall be so built as not to injure or obstruct the navigation of said creek.

Commissioners to open books for the Loyalhanna bridge company. Form. \$25 per share. Notice. When 40 shares are subscribed and \$5 paid on each Governor to grant charter. Style.

SECT. 5. *And be it further enacted by the authority aforesaid*, That James Moorhead, Ephraim A. Robertson and Benjamin Hill, 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 June next, procure a book or books, which shall be opened in the town of New Alexandria, Westmoreland county, and therein enter as follows: "We, whose names are hereunto subscribed, promise to pay the president and managers of the Loyalhanna bridge company, the sum of twenty-five 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 Pennsylvania, entitled 'An act authorising the Governor to incorporate the Lizard creek, Lehigh and Loyalhanna bridge company, and for other purposes.' Witness our hands this day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and thirty-one;" and shall thereupon give notice in such newspaper of the county aforesaid as they may deem proper, for three weeks at least, of the times when and places where the said books shall be kept open to receive subscriptions for the stock of said company; at which respective times and places one or more of the commissioners shall attend, and permit persons of lawful age who shall offer to subscribe in the said book or books, in their own name or in the name of any other person who shall authorise the same, for any number of shares in the said stock; and the said books be kept open respectively, for the purpose aforesaid, until a sufficient number of shares of stock is subscribed for the erection of said bridge; the said commissioners may adjourn from time to time and transfer the book or books elsewhere, for the purpose aforesaid; and when there shall be forty shares subscribed and five dollars for each share paid unto said commissioners at the time of subscribing, the said commissioners shall certify the same to the Governor of this commonwealth, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each; whereupon, the Governor shall, by letters patent under his hand and the seal of the commonwealth, create and erect the subscribers of the shares aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of the Loyalhanna bridge company; and by the same name the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, for erecting a bridge across the Loyalhanna creek, at the town of New Alexandria, in the county aforesaid, at or near where the northern turnpike road crosses said creek; and

shall be capable of taking and holding their capital stock, *Privileges,* and the increase and profits thereof; and of enlarging the *immunities,* same from time to time, by new subscriptions, in such man- &c.  
 ner and form as they shall think proper, to fulfil the intentions 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, and estate, real or 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: *Provided, however,* That if the said company erect the said bridge where the turnpike road comes to said creek, the said company shall first procure of the turnpike company, the right of passage for said bridge.

*Proviso.*  
 Relative to  
 location  
 where turn-  
 pike crosses.

SECT. 6. *And be it further enacted by the authority aforesaid,* That when the bridge aforesaid is completed, and ready for travellers, &c. to pass over the same, the managers aforesaid shall apply to the judges of the court of quarter sessions of the peace, in and for the county of Westmoreland, who are hereby authorised to affix a bill of tolls, reasonable and equitable; which said rates of toll shall be paid by all persons passing over the said bridge, in any way or manner, subject to the by-laws of said company; which said laws shall in no wise interfere with the spirit and meaning of the constitution of this commonwealth, or the laws thereof: Further, after letters of incorporation are obtained by virtue of this act, the commissioners shall call together, by at least ten days notice, the stockholders of said company, and elect three persons as managers of said company, one of whom shall be chosen by the board thus elected as president, and one as treasurer of said company: Further, after the first election, said company shall elect on the first Monday in November, in each and every year thereafter.

Court of quar-  
 ter sessions of  
 Westmore-  
 land to fix  
 tolls.

Election of  
 managers.

President and  
 treasurer.  
 Annual elec-  
 tion.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the time allowed for the commencement and completion of the bridge over the river Lehigh, at Kuntz's ford, in the counties of Northampton and Lehigh, be, and the same is hereby extended for a further period of three years.

Time extend-  
 ed 3 years for  
 the Lehigh  
 bridge at  
 Kuntz's ford.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM G. HAWKINS,

*Speaker of the Senate.*

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

GEO. WOLF.