

No. 75.

AN ACT

To enable the Governor to incorporate the Wissahickon turnpike road company.

SECTION 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 John B. Sterigere, Jesse R. Burden, Joseph Livezey, *Commissioner's* George W. Smick, Elihu Chauncey, Charles Roberts, Jacob B. Jones, Daniel J. Thomas, Archibald Randall, William Runkle, Danl. Snyder, Jos. Hergesheimer and William O. Kline, 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 one *Books open'd.* or more books and enter therein as follows: We, whose names are hereto subscribed, promise to pay to the president, managers and company of the Wissahickon turnpike road, the sum of fifty dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times and places, 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 to enable the Governor to incorporate the Wissahickon turnpike road company;" and shall thereupon give notice in at least two of the public newspapers printed in the city of Philadelphia, for four weeks at least, of the times and places, 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 two of the said commissioners shall attend, and permit and suffer all persons of lawful age, who shall offer to subscribe in their own name or names, or in the name or names of any other person or persons who shall duly authorize the same, for any number of shares in the said stock, and the said books may be kept open respectively for the purpose aforesaid, until the said books shall have sixteen hundred shares of stock subscribed therein: *Provided always,* That every person offering *Proviso.* 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 the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking 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.

SECTION 2. When ten or more persons shall have subscribed six hundred shares of said stock, the commissioners aforesaid, or a majority of them, shall certify to the Governor, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, and upon which the payment of five dollars per share shall have been paid; 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 subscriptions be not full at the time, then also 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 Wissahickon turnpike road;"

Style.

Capacities & privileges.

Proviso against banking.

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 said capital stock and the increase and profit thereof, and of enlarging the same from time to time by new subscriptions, 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 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 work, and of suing and being sued, and doing all and every other matter and thing which a corporation or body politic may lawfully do: *Provided*, That nothing in this act shall be construed to authorize the said corporation to issue notes in the nature of bank notes, or to make discounts or receive deposits after the manner of any bank or banks; and in case the said company shall at any time violate the provisions of this section, all and every their chartered privileges shall cease and determine.

Election of officers.

SECTION 3. The commissioners aforesaid, as soon as conveniently may be after the said letters patent shall be obtained, shall give notice in two of the public papers printed in the city of Philadelphia, of a time and place, by them to be appointed, not less than ten days from the publication of the first notice, at which time and place the 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 authorized, one president, eight managers, five of whom shall be a quorum, 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, orders and regulations, not inconsistent with the constitution and laws of this State or of the United States, as shall be necessary for the well ordering of the affairs of the said company, and to procure for the said company a common seal, and the same to break, alter

or renew as often as the said company shall think proper : *Provided*, That no person shall have more than twenty-five votes in his own right at any election for officers, or for determining any question which may arise at any meeting of the said company, whatever number of shares he or she may be entitled to, and that each person shall be entitled to one vote, either delivered in person or by proxy, for every share by him or her held not exceeding that number. Proviso.

SECTION 4. It shall be lawful to and for the said president and managers, their superintendents, surveyors, artists and chain bearers, to enter into and upon all and every the lands, tenements and enclosures, in, through, and over which the said turnpike road may be thought proper to pass, and examine the ground most proper for the purpose, as well as the materials, except wood, 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 follows, to wit : commencing at the Germantown and Perkiomen turnpike road, where the same crosses the line between Philadelphia and Montgomery counties, thence to the Wissahickon creek, thence along the west bank of the said creek to Enoch Rittenhouse's mill, thence across the said creek over the county bridge, which shall be kept in repair by said company, to the east side thereof, and thence along the east bank of the said creek to Peter Robison's mill, on the ridge turnpike road ; and the said company shall have like powers, authorities and privileges necessary for constructing, carrying on, and completing the said turnpike road, (and not herein otherwise provided for,) and be subject to the same duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like profits in proportion to the distance as are given and granted to "The president, managers and company of the Strasburg and Fannettsburg turnpike road," in, and by an act of Assembly, passed on the twenty-first day of January, one thousand eight hundred and nineteen, except the said road shall not be less than forty nor more than sixty feet wide, and that teams hauling blocks of marble, and drawn by more than six horses, shall be subject to double tolls. Power to enter on lands &c.

SECTION 5. If the said company shall not commence the work on said road within two years after passing this act, or shall not within five years thereafter complete the same, according to the true intent and meaning of this act, then the privileges and franchises hereby granted shall revert to the Commonwealth. Same powers, &c. as the Strasburg & Fannettsburg t. r. company.

WM. PATTERSON,
Speaker of the House of Representatives.

THO'S. RINGLAND,
Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and thirty-four.

GEO : WOLF.