

No. 187.

AN ACT

To authorize the Governor to incorporate a company for making a Turnpike Road from the Bald Eagle Bridge, through Nittany Valley, to the Brush Valley road in Miles township, Centre county.

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 for the purpose of making a turnpike road from the Bald Eagle bridge, through Nittany Valley, to the Brush Valley road in Miles township, Centre county, John Shafer, Philip Reitzel, Samuel McKee, Philip Walker, William Devling, John Henderson, James Brown, Samuel H. Wilson, Saul McCormick, James Kanicadden, Charles Wilson, Daniel Hackenburg and Philip Krebs, 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 Munday of June 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 Bald Eagle, Nittany and Brush Valley 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 authorize the Governor to incorporate a company for making a Turnpike Road from at or near the Bald Eagle bridge, through Nittany Valley, to intersect the Great Road leading through Brush Valley, at such point as can be made by adopting the shortest and best route. 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 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 authorize 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 juridical day, for the space of six days, or until the said books shall have three hundred shares therein subscribed, and if, at the expiration of the said six days, the books afore-

Commiss'rs.

Form of subscription.

Notice of the opening of the books.

To be kept open for six days, &c.

said shall not have the said number of three 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 five hundred, the same shall be closed: *Provided always*, *Proviso.* That every person offering to subscribe in said books, in his own or any other name, shall previously pay, to the attending commissioner or commissioners, the sum of five dollars 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.

SECTION 2. When twenty persons or more shall have subscribed three 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; 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 *When 300 shares are subscribed, com'rs shall certify to Governor.* "The President and Managers of the Bald Eagle, Nittany and Brush Valley Turnpike Road Company," 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 the said capital stock, and the increase and profits, 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, all such lands, tenements, hereditaments and estate, 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 lawfully do. *Style of corporation.* *Powers.*

SECTION 3. 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 *Organization of company.*

Officers.

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 person or by proxy duly authorized, one president, 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 the said company, and that each subscriber shall be entitled to a vote at said elections for every share he or she may hold in said company.

May enter on lands, &c.

SECTION 4. It shall be lawful to and 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 judgment, will combine shortness of distance with the most practicable ground.

Width of road

SECTION 5. The president and managers of the said road shall make or cause the same to be made not less than twenty feet in width in the most difficult passes, and not less than forty nor more than fifty feet in width in all other places, 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 to 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 stone 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.

Road to be made of good materials.

Time for commencing & completing said road.

SECTION 6. If the said company shall not proceed to carry on the said work 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, or in either of those cases, all and singular the rights, liberties, privileges

and franchises, hereby granted, shall revert to the Commonwealth.

SECTION 7. The said company shall generally have and possess 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 tolls and profits, in proportion to the distance, as are given and granted to the president and managers and company of the "Washington and Williamsport turnpike road company," by an act of Assembly passed the eighteenth day of March, Anno Domini, one thousand eight hundred and sixteen, and which are not hereby supplied and granted in the previous sections of this act. Powers of co.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.

No. 188.

AN ACT

To authorize the commissioners of Potter county to borrow money for the use of the said county.

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 the commissioners of the county of Potter, or a majority of them be, and they are hereby authorized to borrow, on such terms as they may deem most advantageous to the interest of said county, any sums of money, not exceeding in amount the sum of four thousand dollars, for the purpose of erecting the public buildings of said county and for the repayment of which, they are hereby authorized to enter into such contract as shall pledge the credit of said county for the same, and hold their successors in office for the payment of the same, as shall be stipulated by said commissioners.

SECTION 2. All real property purchased for the convenience or erection of said public buildings, shall be held by said county for the use of the same forever.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The fourteenth day of April Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.