

No. 107.

An Act

To authorize the Governor to incorporate a company for making a turnpike road from the Belmont and Easton turnpike road, at or near the road to Edmund Harford's mill, through Newfoundland to the Belmont and Easton turnpike, near the line of Wayne and Pike counties.

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 Richard Lancaster, Jeremiah Bennet, William Bortree, John Bortree, Simon Lee, Daniel E. Lebar and Richard Gilpin, junior, 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 July 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 Sterling and Newfoundland 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 the Belmont and Easton turnpike road, at or near the road to Edmund Harford's mill, through Newfoundland to the Belmont and Easton turnpike, near the line of Wayne and Pike counties: 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 times and places when and where the said book shall be open 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 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 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 four 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

Commissioners.

Form of subscription.

Shares \$25.

Books opened 400 sh subscribed.

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 books, 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.

Proviso.

When chart'r
may issue.

SECTION 2. When twenty persons or more shall have subscribed one hundred and twenty 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 Sterling and Newfoundland 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, all such land, 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 & title.

Privileges &
Liabilities

Organization
of company.

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 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 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, 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.

Proviso.

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 laads, 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; 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, 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.

Placed on same footing with Coshect. and G. Bend company.

SECTION 5. 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 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.

Width of r'd.

Manner of construction, &c.

Time of
commencem.
& completion.

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 four 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.

JAMES THOMPSON,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

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No. 108.

A Supplement

To an act entitled An act to incorporate the American Insurance company of Philadelphia.

Directors
authorized to
invest capital.

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 directors of the American Insurance company of Philadelphia, for the time being, shall have full power and authority to invest the capital stock and funds of said company in any stock or stocks, security or securities whatsoever, as to them may seem most eligible and for the said company, and that so much of the sixth section of the act of the eighteenth day of March, Anno Domini one thousand eight hundred and thirty-one, entitled "An act to incorporate the American Insurance company of Philadelphia," as is incompatible herewith, be, and the same is hereby repealed.

Annual
meetings,
when held.

SECTION 2. From and after the year one thousand eight hundred and thirty-five, the general yearly meeting of the stockholders of said company shall be holden on the second Monday of January in each and every year, instead of the second Tuesday in May, as is now provided by the tenth section of the act aforesaid, and that the directors of said company shall be chosen on the second Monday of January in each and every year, instead of the second Tuesday in May, as now provided by the ninth section of the act aforesaid, and that so much of the ninth and tenth sections of the said act as is incompatible herewith, be, and the same is hereby repealed: *Provided always,* That nothing herein contained shall affect the time of holding

Proviso.