

No. 131.

AN ACT

To authorize the Governor to incorporate the President, Managers, and Company, of the Laughlinstown and Waterford Clay 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 Robert Louthier, William Curry, Joseph Naugle, Simeon Burd, James Fowler, A. H. Russell, James Clark, John Ogden, William Clark, John Taylor, and William Louthier, jr. of Westmoreland county, 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, 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 Laughlinstown and Waterford Clay Turnpike Road, the sum of ten 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 commonwealth, entitled, An act to authorize the Governor to incorporate the the president, managers, and company, of the Laughlinstown and Waterford Clay turnpike road, as witness our hands the day of _____ in the year of our Lord one thousand eight hundred and _____ and shall thereupon give notice in one or more of the newspapers, printed in the county of Westmoreland, for one month, of the time and place when and where the said book shall be opened to receive subscriptions for the stock of the said company, at which time and place, some one of the said commissioners shall attend and permit and suffer all persons of lawful age, who shall offer to subscribe in the said book in their own name, or in the name of any person who shall duly authorize the same, for any number of shares of the said stock; and the said book shall be kept open for the purpose aforesaid, for at least six hours in every juridical day, for the space of three days, and until the said book so opened shall have two hundred shares therein subscribed, and if at the

Commissioners
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No. of shares

expiration of the said three days, the book aforesaid, shall not have the number of *shares aforesaid therein subscribed*, the said commissioners, respectively, may adjourn from time to time, and transfer the book from place to place, until the whole number of shares shall be subscribed, of which adjournment and transfer the said commissioners shall give notice, as the occasion may require.

SECTION 2. Whenever ten or more persons shall have subscribed fifty shares, or mote, of the said stock, the commissioners shall certify under their hands and seals, the names of the subscribers and the number of shares subscribed by each, to the Governor, and thereupon it shall and may be lawful for the Governor, by letters patent under his hand and the seal of 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 corporate and politic, by the name, style and title, of The president, managers and company, of the Laughlinstown and Waterford Clay turnpike road, 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 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 and meaning 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 estates, real and personal, as shall be necessary to them in the prosecution of their works, and of suing and being sued, and doing all and every other matter or thing which a corporation or body politic may lawfully do.

SECTION 3. The commissioners aforesaid, as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in the public papers aforesaid, of the time and place by them to be appointed, not less than thirty days from the publication of the first notice; of which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes, of their own subscribers, by ballot, to be delivered, in person or by proxy, duly authorized one president, five 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 the said managers so chosen, and their successors shall and may make such by-laws, rules, and regulations, not inconsistent

Letters patent

Name and style

Privileges and liabilities

Notice to be given of organization and election of officers

with the constitution and laws of this state, and of the United States, as shall be necessary for the well ordering of the affairs of the said company.

SECTION 4. That the said president and managers, their superintendants, surveyors, engineers, and agents, shall be and ^{Authority to enter upon} they are hereby authorized, to enter in and upon all enclosures, lands over or through which the said road shall pass, or that it shall be thought proper to pass over, and the same to examine, and thereon shall locate a road, according to the best of their judgment, beginning at Laughlinstown, thence to Waterford, ^{Location and} in the county of Westmoreland, which said road shall be ^{width of road} opened forty feet wide, and at least twenty feet of which shall be made an artificial road of clay, stone, or gravel, or such other materials as the president and managers shall think proper, so that the same, when completed, shall not exceed in ^{Ascent and descent} ascent or descent, three degrees from a horizontal line; and when said road shall be completed, shall forever be a free road: ^{Provido} *Provided*, The owners of land through which the said road shall pass, shall have the same remedy for ^{Damages} damages, as is provided in the general road laws of this commonwealth: *And provided further*, That the said president ^{and proviso} and managers, in locating said road, shall select the nearest route, and the best ground between the several points designated, doing at the same time as little damage to the property ^{Nearest and best route to be selected} of private individuals, as may be consistent with the judicious location of said road. And the election of president and managers shall be held annually after the first election, on ^{Election annual} the first Monday in April, of each and every year.

SECTION 5. That the said road shall be kept in repair as public roads now are, which are laid out by order of courts of general quarter sessions of the peace, agreeably to the ^{Repair of road} several acts of assembly, in such cases made and provided.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The fourteenth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.