

[No. 109.]

AN ACT

To authorize the Governor to incorporate a company for making an artificial road from Brownington to the city of Allegheny, and for other purposes.

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 Conrad Snyder, Jonathan Hays, Cadwalader Baker, John White, Samuel Dodds, Thomas Sullivan, G. Commission-
A. Kirkpatrick, Robert Allen, Andrew S. White, William C. ers
Martin, John Beighlie, John Cable, Thomas Fletcher, Mathew F. White, J. W. M'Candless, William G. Bracken, Joshua Stoolfier and Thomas Kennedy of Butler county, and Hugh Davis, Robert Stewart, John Scott, Hugh Sweeny, Alexander Hilands, Thomas Gibson and Martin Byrne of Allegheny county, or any two of them, are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say—they shall on or before the first Monday in September next procure one or more books and enter in each of them as follows: We whose names are hereunto subscribed, do promise to pay unto the president and managers of the Brownington and Allegheny city turnpike road company the sum of twenty dollars for every share of stock set opposite our respective names, in such manner and proportion, and at such times 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 authorize the governor to incorporate a company for making an artificial road from Brownington to the city of Allegheny." Witness our hands the day of

in the year of our Lord one thousand eight hundred and forty ; and shall thereupon give notice in one or more of the public newspapers printed in Butler and Allegheny, for one calendar month 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 one of the said commissioners shall attend and permit all persons of lawful age who shall offer to subscribe in the said books in their own name, or in the name of any other person or persons who shall duly authorize the same; for any number of shares in

Form of subscription

Open books

the 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 said books so opened shall have eight hundred shares therein subscribed ; and if at the expiration of the said six days the books aforesaid or either of them shall not have the respective number of shares aforesaid therein subscribed, the said 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 transfer the said commissioners aforesaid shall give such public notice as occasion may require, and when the whole number of shares subscribed in all the said books shall amount to eight hundred shares, the same shall be closed.

Letters pa-
tent

Name

SECTION 2. That when twenty or more persons shall have subscribed two hundred and fifty or more shares 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 the state to create and erect the subscribers, and if the subscription be not full at the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, by the name, style and title of " Brownington and Allegheny city 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 their said capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions in such a 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 lesser 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 of doing every other matter and thing which a corporation or body politic may lawfully do.

Organization

SECTION 3. That the commissioners as soon as may be after said letters patent shall be sealed and obtained, shall give notice in one or more newspapers printed in Butler and Allegheny aforesaid, of a time and place by them to be appointed, not less than thirty 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 said subscribers by ballot to be delivered in person or by proxy, duly authorized, one president, two 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 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 the affairs of the said company; and shall have power to lay out, construct and complete a turnpike road from Brownington on the Butler and Mercer turnpike, in Butler county, to the city of Allegheny, in the county of Allegheny, following as nearly as may be found expedient and practicable the present location of the Franklin road, heretofore used between said points; and shall have like powers, authorities, rights and privileges necessary for completing and carrying on said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines, forfeitures and regulations, as to entering upon land and taking material, as are given by law to the Butler and Mercer turnpike road company; and shall be entitled to like tolls and profits in proportion to the distance as are given and granted to the president and managers of said Butler and Mercer turnpike road company by the several laws of this commonwealth: *Provided*, That no person in his own right shall have more than eight votes at any election; or in determining any question arising at any meeting, and that any person shall be entitled to one vote for every share by him held under that number: *And provided further*, That if the said company shall not proceed to carry on the said work within two years after the passing of this act, or shall not within ten years afterwards complete the said road in a substantial and workmanlike manner, according to the true intent and meaning of this act, then in either of those cases it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, privileges, liberties and franchises, by this act granted to said company.

SECTION 4. The legislature expressly reserves the right at any future time to alter and modify the charter of said company, incorporated in pursuance of this act, in such manner as may be deemed conducive to the public interest.

SECTION 5. That the second section of "An Act authorizing the commissioners of Allegheny county to borrow a sum of money to complete the public buildings in said county, and for other purposes," passed on the fourteenth day of March, in the year one thousand eight hundred and thirty-nine, be and the same is hereby repealed.

SECTION 6. That the commissioners of the county of
 Coms of M'- M'Kean are hereby authorized to borrow a sum or sums of
 Kean co money for the purpose of erecting and constructing county
 buildings, not exceeding altogether the sum of twenty thousand
 dollars, at an interest not exceeding six per cent. per annum,
 upon such terms as to security and time of payment as may
 be by them agreed on; and all moneys so loaned shall be ex-
 pended for the purposes aforesaid, under the direction of the
 judges of the court of common pleas of said county.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight
 hundred and forty-three.

DAVID R. PORTER.

[No. 110.]

AN ACT

To authorize the Governor to incorporate the president, managers and
 company of the Buckingham and Doylestown Turnpike Road com-
 pany, and for other purposes.

Comms

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 Thomas P. Broadhurst, Thom-
 as Paxson, William Stanley, Samuel Brown, Joseph Broad-
 hurst, Samuel Eastburn, William Moore, Samuel Yardly,
 John H. Anderson, E. T. M'Dowell, Charles H. Mathews,
 William Beans, James Burson, John Ruckman, Hugh B.
 Ely, Jacob Eastburn, John Blackfan, Matthias Shaw, Alex-
 ander C. Brittain, Jonas Fell, Edward Williams, James Kirk,
 James Simpson, Valentine Dickerson, Samuel A. Smith of
 Buckingham, Anthony Rich, Charles Smith, William T.
 Rogers, Samuel D. Ingham, James Pool, Joseph Campbell,
 Charles Cope, Stryker Everett, and Stephen Brock, of the