

require, against such property, and all property, real or personal, of such prisoner, taken in execution by virtue of such writs, shall be sold as in other cases real or personal property is sold by virtue of similar writs; and such sales shall be as available and effectual in law as sales in other cases by virtue of similar writs: *And provided also,* That no such discharge shall be allowed or granted by the said board of inspectors, until such prisoner shall have exhibited to them on oath or affirmation, duplicate schedules of all his property, real, personal and mixed, to which he is in any manner entitled, as far as he can ascertain the same, one of which schedules or lists of property, it shall be the duty of the said inspectors to file and preserve, with the papers of the prison, and the other immediately to transmit to the clerk of oyer and terminer, or the quarter sessions, or mayor's court, as the case may be, in which the said prisoner was tried, to be filed there also, with other papers relating to the case.

2d Proviso.

Convict to exhibit schedules of property.

To be filed.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The seventeenth day of January, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF,

No. 13.

AN ACT

To authorise the Governor to incorporate a company for making a turnpike road from the Lackawaxen turnpike, at or near the farm of Daniel Buntings, by the Glass Factory to the new road from Bethany to Honesdale, at or near the farm of widow Thomas, in Wayne county.

SECT. 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 Isaac Dimmick, John Carr, Christian Faatz, Jacob Faatz, William Greele, David Arnold and Nathaniel A. Woodward, 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

Commissioners named to open books, &c.

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 Honesdale and Germanville 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 authorise the Governor to incorporate a company for making a turnpike road from the Lackawaxen turnpike, at or near the farm of Daniel Buntings, by the Glass Factory, to the new road from Bethany to Honesdale, at or near the farm of widow Thomas, in Wayne county.' 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 time and places when and where the said book 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 authorise 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 two hundred shares therein subscribed; and if at the expiration of the said six days, the books aforesaid shall not have the said number of two 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 two 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.

Form of sub-
scription.

\$25 per share.

Who may
subscribe.

Whole num-
ber, 200
shares.

Proviso.

\$1 to be paid
on each share.

When 20 per-
sons take 150
shares, char-
ter may issue.

SECT. 2. And be it further enacted by the authority aforesaid, That when twenty persons or more, shall have subscribed one hundred and fifty 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 Honesdale and Germanville turnpike road company;" Title. 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. Rights, privileges, &c.

SECT. 3. *And be it further enacted by the authority aforesaid,* That 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 authorised, 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 to shares. Organization or corporation. Officers. Proviso. Ratio of votes

entitled to one vote for every share held by him under that number.

Location of road.

Same toll, &c. as Coshecton and Great Bend company.

Dimensions, materials, &c. of road.

Bridges, &c.

Time of commencement and completion.

SECT. 4. *And be it further enacted by the authority aforesaid, That 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; 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 and 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.*

SECT. 5. *And be it further enacted by the authority aforesaid, That 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.*

SECT. 6. *And be it further enacted by the authority aforesaid, That 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.

FREDK. SMITH,
Speaker of the House of Representatives.
WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The seventeenth day of January, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 14.

AN ACT

Authorizing the construction of a bridge across the West Branch of the Susquehanna river, at the town of Clearfield.

SECT. 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 Ross, senior, J. F. W. Schnars, John Kyler, James Read and Samuel Fulton, of Clearfield county, be and are hereby appointed commissioners to examine and fix on the site for the erection of a bridge over the West Branch of the river Susquehanna, at or near where Market street, in Clearfield town, crosses the said river; whose duty it shall be, after being duly sworn or affirmed, before some justice of the peace or judge of the court of common pleas, faithfully to perform the duties hereby enjoined, viz: to meet or as soon thereafter as possible, to examine and establish the site for said bridge, according to the true intent and meaning of this act; and to make out a draft or plot of said site, on or before the eighteenth day of June next, a copy of which shall be filed in the prothonotary's office of Clearfield county; for which they shall be allowed the sum of one dollar for each and every day they shall be necessarily employed; which sum shall be paid by their order, drawn on the president and managers of said company; and further, that Joseph Boone, senior, Josiah W. Smith, Joseph M. Martin, Libeon Luther and Job England, of Clearfield county, be and they are hereby appointed commissioners, to perform the several duties hereinafter mentioned; that is to say, they shall, on or before the first day of June next, procure a book, and enter

Commissioners appointed to locate.

Oaths.

Meeting.

To file a draft.

Compensation.

Commissioners appointed to open books, &c.