

ture of this Commonwealth his earnest desire that his children, Josephine, Augustus, Julius and James may be recognized as his legitimate offspring, and hath petitioned said Legislature to pass an act of legitimation in favor of said children, in order that they may have and enjoy all the rights, benefits and advantages of children born in lawful wedlock: Therefore.

Children of  
James Nor-  
mand of Alle-  
gheny coun-  
ty.

SECT. 3. *And be it further enacted by the authority aforesaid,* That Josephine Normand, Augustus Normand, Julius Normand, and James Normand, the natural children of James Normand, of the county of Allegheny, in the Commonwealth aforesaid, shall be taken and considered as the legitimate children of the said James Normand, and shall have and enjoy all the rights, benefits, privileges and advantages of children born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, and to do all other acts and things in law or equity, as fully and completely, to all intents and purposes, as if they the said Josephine Normand, Augustus Normand, Julius Normand, and James Normand, had been born in lawful wedlock.

SAM'L. ANDERSON,

*Speaker of the House of Representatives.*

JESSE R. BURDEN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, A. D. one thousand eight hundred and thirty-three.

GEO. WOLF.

No. 76.

### AN ACT

To authorize the Governor to incorporate the Philadelphia and Reading rail road company.

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 Thomas Sergeant, Edward R. Biddle, John White, Robert A. Parrish and James Wood, of Philadelphia; Jonathan Roberts and Reece Thomas, of Montgomery county; Matthias Pennypacker, Emor Kimber, Samuel Shaf-

fer and William Rogers, of Chester county; G. D. B. Keim, M. S. Richards, Isaac Heister and James Everhart, of Berks county; Samuel Harvey and Jedediah Strong, of Germantown; Joseph Solms, Elijah Dallett, Jacob Frick, Joseph B. Mitchell, James M'Cormack, James Boon, William G. Alexander, Erskine Hazard, Joshua Lippincott, William A. Martin, or any two of them, 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 December next, procure three books, one of which shall be opened at the coffee house in Philadelphia, and one at the house of Daniel Herr, in Reading, Berks county, and one at the house of William Reed, in Westchester, Chester county; in each of which they shall enter as follows: "We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Philadelphia and Reading rail road company, the sum of fifty dollars for every share of stock set opposite our respective names, in such manner and proportions, 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 the Philadelphia and Reading rail road company.' Witness our hands, the day of , one thousand eight hundred and thirty-  
 and shall thereupon give notice, in one newspaper printed in the county of Berks, in one newspaper printed in the county of Chester, and in one newspaper printed in the city of Philadelphia, two weeks at least, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places one or more of the commissioners shall attend, and permit all persons of lawful age, who shall offer to subscribe in the said books, in their own names or in the names of any other person who shall authorize the same, for shares in the said stock; and the said books shall be kept open respectively, for the said purpose, at least six hours in every juridical day, for the space of three days, or until there shall have been subscribed twenty thousand shares; and if, at the expiration of three days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the book or books elsewhere, until the whole number of twenty thousand shares shall be subscribed, of which adjournment and transfer the commissioners aforesaid shall give such public notice as the occasion may require; and when the whole number of shares shall be subscribed, then the books shall be closed: *Provided*, That no person be permitted to subscribe for more than twenty shares on the first day, and not more than one hundred on the se-

Comm'rs. appointed to carry into effect the organization of company.

Form of subscription.

Shares \$50.

Duties of stock commiss'rs.

Whole No. of shares, 20,000

Proviso. Subscription of shares limited 1st and 2d days.

2d proviso.  
\$5 to be advanced upon each share at the time of subscription.

cond, after which any person may subscribe for any number of shares, until the whole of the stock is taken: *And provided also*, That no subscription shall be valid, unless the person so subscribing shall pay to the said commissioners, at the time of making the same, the sum of five dollars on each and every share, for the use of the company.

Upon certificate to the Governor of the subscription of 6000 shares of stock, charter may issue.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when six thousand shares, or more, of the said stock shall be subscribed, and the sum of five dollars paid on each and every share, as aforesaid, the commissioners, or a majority of them, shall certify to the Governor, under oath or affirmation, the names of the subscribers, and the number of shares subscribed by each, and the sum of five dollars on each share paid at the time of subscribing, whereupon the Governor shall, by letters patent, under his hand and the seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number of shares aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title, of "The Philadelphia and Reading rail road company," and by the same name the subscribers shall have perpetual succession, with all the privileges, franchises and immunities, incident to a corporation, and be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements and hereditaments, goods, chattels, and all estate, real, personal or mixed, of what kind or quality soever, and the same from time to time to sell, exchange, mortgage, grant, alien or otherwise dispose of, and to make dividends of such portions of the profits as they may deem proper, and also to make and have a common seal, and the same to alter and renew at pleasure; and also to ordain, establish, and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things, which to them it shall lawfully appertain to do, for the well being of the said corporation, and the due management and ordering the affairs of the same: *Provided*, That nothing herein contained, shall be considered as in any way giving to the said corporation any banking privileges whatsoever, or any other liberties, privileges or franchises, but such as may be necessary or incident to the making and maintaining of the said rail road, and the conveyance of passengers, and the transportation of the mail, and of goods, merchandize and commodities thereon.

Corporate style.

Privileges & liabilities.

Proviso.

Operations of company to be confined to making and using road.

SECT. 3. *And be it further enacted by the authority aforesaid*, That the said named persons, or a majority of them,

shall, as soon as conveniently may be after the said letters patent shall be obtained, give at least twenty days previous notice in the newspapers hereinbefore mentioned of the time and place by them appointed for the subscribers to meet in order to organize the said company, to choose by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy, which proxy shall have been obtained and bear date within three months previously to the election at which such proxy shall be presented, duly authorized, one president and six managers, all of whom shall be residents of this commonwealth, a treasurer, secretary and such other officers as shall be deemed necessary; that the president and managers aforesaid shall conduct the business of said company until the second Monday of January then next, and until like officers shall be chosen, and may make such by-laws, rules, orders and regulations as are not inconsistent with the constitution and laws of the United States, or of this state, and that may be necessary for the well governing the affairs of the said company: *Provided*, That no person but a stockholder shall be eligible to the office of president or manager.

Organization of corporation

Provisional election of officers.

P'oviso.

SECT. 4. *And be it further enacted by the authority aforesaid*, That the stockholders shall meet on the second Monday of January in every year, at such places as may be fixed upon by the by-laws, of which notice shall be given at least twenty days previous, by the secretary, in the newspapers before mentioned, and choose by a majority of the votes present, officers for the ensuing year, as mentioned in the third section of this act, who shall continue in office for one year, and until others are chosen, and at such other time as they may be summoned by the managers in such manner and form as shall be prescribed by the by-laws, at which annual or special meeting they shall have full power and authority to make, alter or repeal, by a majority of the votes, in the manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform every other corporate act; and the number of votes to which each stockholder shall be entitled, shall be according to the number of shares he or she shall hold, in the proportions following: for every share not exceeding two shares, one vote; for every two shares above two, and not exceeding ten shares, one vote; and for every five shares above ten, one vote; but no share shall confer a right of suffrage which shall not have been holden three calendar months prior to the day of the election, nor unless it be holden by the person in whose name it appears, absolutely and bona fide, in his own right, or in that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right and for the use and benefit of some co partnership, corporation or society, of which he or she may be a

Annual election of officers.

Special meet- ings.

Ratio of votes to shares, &amp;c.

Proviso.  
Votes on  
transferred  
shares, and  
by proxy.

2d proviso  
Delinquent  
shareholders  
debarred  
voting.

Manner of  
conducting  
elections.

Accidental  
neglect or  
omission to  
elect officers  
provided for.

General pow-  
ers and duties  
of the presi-  
dent and  
managers.

member, and not in trust for and to the use and benefit of any other person: *Provided*, That no shares held by transfer shall be entitled to vote unless the same shall have been transferred at least three months before the election, and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, one thousand eight hundred and twenty, entitled "An act to regulate proxies:" *And provided also*, That no share shall be entitled to vote at any election, or at any general or special meeting of said company, on which any instalment or arrearages may have been due and payable more than thirty days previously to said election or meeting.

SECT. 5. *And be it further enacted by the authority afore-said*, That the election of officers provided for in the third section of this act, shall be conducted in the following manner, that is to say, the managers for the time being shall appoint two of the stockholders, not being managers, to be judges of the said election, and to conduct the same, after having severally taken and subscribed an oath or affirmation before an alderman or justice of the peace, well and truly, and according to law to conduct such election to the best of their knowledge and abilities; and the said judges shall decide upon the qualifications of voters, and when the election is closed, shall count the votes, and declare who has been elected, and if it shall at any time happen that an election of president, managers, treasurer, secretary or other officer, shall not be made, the corporation shall not for that cause be dissolved, but it shall be lawful to hold and make such election of president, managers, secretary, treasurer, or other officers, on any day thereafter, by giving at least ten days notice, signed by the president or secretary, in the newspapers before mentioned, of the time and place of holding the said election, and the president, managers, treasurer, secretary, and other officers of the preceding year, shall, in that case, continue to act and be invested with all the powers belonging to their respective situations until an election shall take place; in the case of death, resignation, or removal from the state, of the president, managers, treasurer or secretary, his place may be filled by the board of managers until the next annual meeting.

SECT. 6. *And be it further enacted by the authority afore-said*, That the said president and managers shall meet at such times and places as shall be found most convenient for the transacting of their business, and when met four shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall be empowered and have authority to appoint all such surveyors, engineers, superintendents, and other artists and officers as they shall deem necessary to carry on the

intended work, and to fix their salaries and wages, to ascertain the times, manner and proportions in which the said stockholders shall pay the moneys due on their respective shares, to draw orders on the treasurer for moneys, which shall be signed by the president, or in his absence by a majority of the managers present, and countersigned by the secretary, and generally to do all such other acts, matters and things as by this act and by the by-laws and regulations of the company they are hereby authorized to do.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said president and managers first chosen shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one or more certificates, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for the number of shares by him or her subscribed or held, which certificate or evidence of stock shall be transferable, at his' or her pleasure, in person or by attorney, duly authorized, in the presence of the president or treasurer, one of whom shall keep a book for that purpose, subject however to all payments due or to become due thereon, and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company, to be kept for the transfer of stock, shall be a member of the said corporation, and for every certificate assigned to him as aforesaid, shall be entitled to one share of the capital stock of all the estates and emoluments of the company incident to one share, and to vote as aforesaid at the meetings thereof, and subject to all penalties and forfeitures, and to be sued for all the balance and penalty due or to become due on each share, as the original subscriber would have been.

Certificates of stock.

Arrangement regulating transfers.

SECT. 8. *And be it further enacted by the authority aforesaid,* That if after thirty days notice in the public papers aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignee, shall, in addition to the instalment so called for, pay at the rate of one per centum per month for the delay of such payment, and if the same and additional penalty shall remain unpaid for such a space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same, or in default of payment by any stockholder of any such instalment as aforesaid, the president and managers may, at their election,

Neglect to pay instalments attended with penalties, which when equal to sums paid on stock, are to cause forfeiture.

cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election, or any general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to the said election or meeting.

Proviso.  
Delinquents  
not to vote.

Bonds and  
sureties of  
treasurer, &c.

SECT. 9. *And be it further enacted by the authority aforesaid*, That the president and managers of the said company shall demand and require of and from the treasurer, and may demand and require of and from all and every other the officers and other persons by them employed, bond in sufficient penalties and with such securities as the said company shall, by their rules, orders and regulations, require for a faithful discharge of the several duties and trusts to them respectively committed.

Semi-annual  
declaration of  
dividends.

Not to impair  
capital.

Managers  
may be liable  
for improper  
declaration.

Proviso.  
50 per cent of  
dividends  
over 12 to go  
to education  
fund.

Authority to  
construct  
rail-road.

Proviso.  
Width, &c.

SECT. 10. *And be it further enacted by the authority aforesaid*, That dividends of so much of the profits of the institution, as shall appear advisable to the managers, shall be declared at least twice a year in every year, and paid to the stockholders on demand, at any time after the expiration of ten days therefrom, but they shall in no case exceed the amount of the nett profits actually acquired by the company, so that the capital stock shall never be impaired thereby; if the said managers shall make any dividend which shall impair the capital stock of said institution, the managers consenting thereto shall be liable in their individual capacities, to the said company, for the amount of the stock so divided; and each manager present, when such dividend shall be declared, shall be adjudged to be consenting thereto, unless he forthwith enter his protest on the minutes of the board, and give public notice to the stockholders of the declaring such dividend: *Provided*, when such dividend shall exceed twelve per cent. per annum, then one half of such excess shall be paid into the state treasury, and placed to the credit of the education fund.

SECT. 11. *And be it further enacted by the authority aforesaid*, That the president and managers of the said rail (road) company, shall have power to survey, lay down, ascertain, mark and fix, such route as they shall deem expedient for a rail road, with as many sets of tracks as they may deem necessary, beginning at or near the borough of Reading, in Berks county, and terminating at some suitable point in or near the city of Philadelphia, or on the line of the Philadelphia and Columbia, or of the Philadelphia, Germantown and Norristown rail roads: *Provided*, That the said rail road shall not, except in deep cuts and fillings, or at points selected for depots, or engine and water stations, exceed four

roads in width, and that it shall not pass through any burying ground or place of public worship, or any dwelling house, without the consent of the owner thereof.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the said president and managers shall have power and authority, by themselves or their superintendents, engineers, artists and workmen, to enter in and upon, and occupy, all land on which the said rail road, or its depots and warehouses may be located, or which may be necessary for the erection of its engine and water stations, weigh scales, or any other purpose necessary or useful in the construction and repairs of the said rail road, and therein to dig and embank, make and construct the same, and the said company shall pay or satisfy the owner or owners of the ground so taken and occupied as aforesaid; but if the parties cannot agree upon the compensation to be made to such owner or owners, it shall and may be lawful for the parties to appoint five suitable, judicious and disinterested persons, of the counties of Berks, Montgomery, Chester or Philadelphia, who shall be under oath or affirmation, and who shall reside within the counties of Berks, Montgomery, Chester or Philadelphia, and if they cannot agree upon such persons, then either of the parties, after giving twenty days notice to the other, may apply to the court of Common Pleas of the county in which the land may lie, and the court shall award a *venire*, directed to the sheriff, to summon a jury of judicious and disinterested persons from the said counties, in order to ascertain and report to the said court what damages, if any, have been sustained by the owner or owners of said ground, by reason of the construction of said rail road through the same, which said jury of valuers being duly sworn or affirmed, and having viewed the premises, shall proceed to estimate the quantity and quality of the land occupied by the said rail road, and all other inconveniencies which may be likely to result therefrom to the said land; and under the influence of these considerations, and a just regard to the advantages which may seem likely to result to the owner or owners of the said land, from the opening of the said rail road through the same, to make their assessment, and report to the court, which report being confirmed by the said court, judgment shall be entered thereon, and execution may issue in case of non-payment for the sum awarded, and the expenses incurred by the appraisers or jury, shall be defrayed by said rail road company: *Provided*, That either party may appeal to the court within thirty days after such report may have been filed in the prothonotary's office of the proper county, in the same manner as appeals are allowed in other cases: *And provided also*, That if any person or persons, owning land or any other property, which shall be affected by this act, be *feme covert*, under age, non compos mentis

Right of entry upon lands.

Mode of ascertaining damages.

Appointment of viewers.

Their oaths and duties.

Report and confirmation.

Proviso.

Appeal within 30 days.

2d proviso.

Cases where owners are *feme covertis*, *non compos mentis*, &c.

or out of the state, then and in either of the cases, the president and managers of the company, and at the cost and charges of said corporation, shall, within one year after the construction of the rail road through the said land, represent the same to the court of Common Pleas of the county where the lands lie, as the case may be, who shall proceed thereon in the same manner, and to the same effect, as directed by this act in other cases.

Right to enter upon lands for materials.

SECT. 13. *And be it further enacted by the authority aforesaid*, That the president and managers, by and with their superintendents, engineers, artists, workmen and laborers, with their tools, instruments, carts, wagons and other carriages, and beasts of draught and burden, may enter upon the lands contiguous and near the said rail road, first giving notice to the owners or occupiers thereof, and from thence to take and carry away timber, stone or gravel, sand or earth, doing as little damage thereto as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any damages that may be done thereon, the amount whereof, if the parties do not agree, shall be assessed as herein before mentioned in this act.

Causeways for public roads.

Penalty on neglect to make.

How recovered and appropriated.

SECT. 14. *And be it further enacted by the authority aforesaid*, That the said rail-road shall be so constructed as not to impede or obstruct the free use or passage of any public road or roads which may cross or enter the same, in all cases where the said rail-way may cross or in any manner interfere with any existing public road, canal or slack water navigation, the said company shall make, or cause to be made, as soon as conveniently may be, a good and sufficient causeway or causeways, to enable all persons passing or travelling such public roads, canal or slack water navigation, to cross and pass over said rail-road, and if the company shall neglect or refuse to keep such way or causeways in good repair, they shall be liable to a penalty of ten dollars for every day the same shall be so neglected or refused to be repaired, to be recovered by the supervisors of the township, with costs, for the use of the township, as debts of the like amount are by law recoverable, and shall moreover be liable to all actions at the suit of any person who may be aggrieved thereby.

Causeways for landholders.

SECT. 15. *And be it further enacted by the authority aforesaid*, That for the accommodation of all persons owning or possessing land through which the said rail-road may pass, it shall be the duty of the said company to make, or cause to be made, a good and sufficient causeway or causeways, wherever the same may be necessary to enable the occupant or occupants of said lands to cross or pass over the same with wagons, carts and implements of husbandry, as occasion may require, and the said causeway or causeways, when so made, shall be maintained and kept in good repair by

said company, and if the said company shall neglect or re-  
 fuse, on request, to make such causeway or causeways, or  
 when made to keep the same in good order, the said com-  
 pany shall be liable to pay any person aggrieved thereby all  
 damages sustained by such person in consequence of such  
 neglect or refusal, to be sued for and recovered before any  
 magistrate or court having cognizance thereof: *Provided*,  
 That the said company shall in no case be required to make,  
 or cause to be made, more than one causeway through each  
 plantation or lot of land for the accommodation of any one  
 person owning or possessing land through which the said  
 rail-road may pass, and where any public road shall cross  
 said rail-road, the person owning or possessing land through  
 which said public road shall pass, shall not be entitled to  
 require the company to erect or keep in repair any cause-  
 way or bridge for the accommodation of the occupant of said  
 land: *Provided further*, That in the event of any private  
 bridge or causeway being converted to public use, so as to  
 be made to accommodate a public road, laid out subsequent  
 to the passage of this act, then and in such case the company  
 shall be forever thereafter exonerated from the duty of keep-  
 ing the said bridge or causeway in repair.

Penalty on neglect.

Proviso. Where they may be dispensed with.

2d Proviso. Public roads crossing private bridges to exonerate company.

SECT. 16. *And be it further enacted by the authority afore-*  
*said*, That no suit or action shall be prosecuted by any per-  
 son or persons for any penalties incurred under this act,  
 unless such suit or action shall be commenced within twelve  
 months next after the offence committed, or the cause of  
 action accrued, and the defendants in any such suit or action  
 may plead the general issue, and give this act and the special  
 matter in evidence, and that the same was done in pur-  
 suance and by authority of this act.

Suits for penalties must be commenced within 12 months from cause of action.

SECT. 17. *And be it further enacted by the authority afore-*  
*said*, That in all suits or actions brought against the said  
 company, the service of process on any manager, toll  
 gatherer, or other officer of the company, shall be as good  
 and available in law as if made on the president thereof.

Process may be served upon any agent.

SECT. 18. *And be it further enacted by the authority afore-*  
*said*, That if any person or persons shall wilfully and know-  
 ingly break, injure or destroy the rail-road hereby authorized,  
 or any part thereof, or any work, edifice or device, or any  
 part thereof, to be erected by the said company in pursuance  
 of this act, he, she or they, shall forfeit and pay to the said  
 company three times the actual damages so sustained, to be  
 sued for and recovered, with full costs, before any tribunal  
 having cognizance thereof, by action in the name and for  
 the use of the said company.

Persons doing wilful injury to works of company liable to pay damages.

SECT. 19. *And be it further enacted by the authority afore-*  
*said*, That if any person or persons shall wilfully or mali-  
 ciously remove or destroy any of the company's construc-

Willful obstruction of road, &c. made a misdemeanor.

tions, or place, designedly and with evil intent, any obstruction on the line of the rail-road so as to jeopard the safety and endanger the lives of persons travelling the same, such person or persons so offending shall be deemed guilty of a misdemeanor, and shall be adjudged on conviction, to be imprisoned in the eastern penitentiary of Pennsylvania for a term not more than two years: *Provided*, That nothing herein contained shall prevent the company from pursuing any other appropriate remedy at law in such cases.

Company authorized to regulate and superintend travelling and transportation on road,

SECT. 20. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the president and managers, from time to time, to ordain and establish rules and regulations for the due ordering of all travelling and transportation on the said road, and for its preservation, with power to alter, repeal, enlarge or amend the said rules and regulations, as they may deem expedient; and that they shall have full power and authority to prescribe the kinds and descriptions of cars, carriages or wagons, to be used on the said road for the conveyance of passengers and the transportation of the mails, or of goods, wares, merchandize and minerals, and to regulate the speed at which they shall travel, and to adopt and enforce such rules and regulations in relation to the transit thereof as they may deem expedient: *Provided*, That the toll on any species of property shall not exceed an average of four cents per ton per mile, nor upon each passenger an average of two cents per mile.

Proviso. Rates of toll.

Annual statement of affairs to stockholders.

SECT. 21. *And be it further enacted by the authority aforesaid*, That at each annual meeting of the stockholders, the president and managers of the preceding year shall exhibit to them a complete statement of the affairs and proceedings of the company for such year, and that special meetings of the stockholders may be called by order of the president and managers, or by the president, at the request of stockholders holding one fourth the amount of the capital stock, in like notice as that required for annual meetings, specifying moreover the object of the meeting, but no business shall be transacted at such meetings except that for which it shall have been called, nor unless a majority in value of the stockholders shall attend, in person or by proxy.

Special meetings.

Conditions thereof.

Time allowed to commence and complete work, &c.

SECT. 22. *And be it further enacted by the authority aforesaid*, That if the president and managers and company shall not proceed to carry on the said work within three years from the passage of this act, and shall not complete the same within seven years as aforesaid, according to the true intent and meaning of this act, or if after the completion of the said road, the said company shall suffer the same to go to decay, and be impassable for the term of two years, then this charter shall become null and void, except

so far as compels the said company to make reparation for damages.

SECT. 23. *And be it further enacted by the authority aforesaid,* That if any increase of the capital stock shall be deemed necessary by the stockholders to improve or complete the said road, it may be lawful for the said president, managers and company, at a stated or special meeting convened for the purpose, to increase the number of shares, so that the capital of the said company shall not exceed two millions of dollars, and to receive and demand the monies for shares so subscribed, in like manner, and under like penalties as are hereinbefore provided for the original subscription, or as shall be provided for by their by-laws.

Of the increase of capital.

SECT. 24. *And be it further enacted by the authority aforesaid,* That at the end of the third year after the charter shall be obtained, and at the end of every year thereafter, there shall be furnished to the Legislature an abstract of the accounts of the company, showing the amount of capital paid in, and the debts of the said company, the amounts received for tolls and transportation, and rates charged, and the amount or dividends declared, which abstract shall be verified by the oath or affirmation of the president or treasurer of said company.

After 3 years annual statement to be made to Legislature under oath.

SECT. 25. *And be it further enacted by the authority aforesaid,* That if the said company shall at any time misuse or abuse any of the privileges hereby granted, the Legislature may resume all and singular the rights and privileges hereby granted to the said corporation.

Reservation of right to resume privileges.

SAM'L. ANDERSON,

*Speaker of the House of Representatives.*

JESSE R. BURDEN,

*Speaker of the Senate.*

APPROVED—The fourth day of April, A. D. one thousand eight hundred and thirty-three.

GEO. WOLF.