and capable in law, to sue and be sued, grant and receive, and do all other legal acts, as effectually to all intents and purposes, as he could have done by his former name, if no change had been made therein.

James E. Backhouse.

SECTION 3. That James E. Backhouse, of the city of Pittsburg, son of Thomas and Emily Backhouse, be and he is hereby authorized to change his name from James E. Backhouse, to James E. King, and he shall henceforth be called and known by the name of James E. King, and by that name shall be able and capable in law, to sue and be sued, grant, receive and inherit, and do all other legal acts, as effectually to all intents and purposes, as he could have done by his former name, if no change had been made therein.

Thomas Green.

SECTION 4. That Thomas Green, son of Esther Green, late of Crawford county, and now the adopted child of William Wait, of said county, shall hereafter be called and known by the name of Thomas Shephard Wait, and by that name be capable of suing and being sued, and of granting or taking any estate in the same manner as he could have done if no change had been made therein.

Thomas Evans.

David Wesley Hazzard.

SECTION 5. That the name of Thomas Evans, son of John C. and Hannah R. Evans, of the city of Philadelphia, shall be and the same is hereby changed to that of Thomas L. Evans; and the name of David Wesley Hazzard, of the said city, shall be and the same is hereby changed to that of Wesley Hazzard, and by the said names the parties respectively shall be able and capable in law, to sue and be sued, grant and receive, and do and perform all other legal acts and things, as fully and effectually, to all intents and purposes, as they might or could have done by their former names, if no changes had been made therein.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 213.

AN ACT

To incorporate the Blossburg coal company.

Commissioners.

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 Dyer, Edwin Dyer, Ephraim B. Gerould, John C. Knox and R. G. White, of the county of Tioga, or any three 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 fifteenth day of June next, procure a sufficient number of books, one or more of which shall be opened at some convenient place in Blossburg, in Tioga county, 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 Blossburg coal company, the sum of fifty dollars for every share of stock 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 the said coal company, in pursuance of an act of the general assembly of this commonwealth, entitled "An Act to incorporate the Blossburg coal company." Witness our hands this day of in the year of our Lord one thousand eight hundred and forty-four; and shall, thereupon, give notice in one or more newspapers printed in Tioga county, for one calendar month at least, of the time, when, and places where the said books shall be kept open to receive subscriptions for the stock of the said company; and the said books shall be kept open to receive subscriptions in the manner and under the regulations prescribed by the section of an act passed the twenty-first day of March, Anno Domini one thousand eight hundred and fourteen, entitled "An Act regulating banks;" and whenever one thousand shares shall have been bona fide subscribed, and five dollars on each share shall have been paid to said commissioners, the said commissioners shall certify the same, under oath or affirmation, to the governor of this commonwealth; and on receipt of such certificate, 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 subscribe, to the number of shares as aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of the Blossburg coal company; and by the same name the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable in law to have a common seal, and the same to alter and renew at pleasure; to make rules and by-laws for the regulation and management of said corporation, consistent with the laws of this commonwealth; and of taking and holding their 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 intentions of this act; and of purchasing and holding to them and their successors and assigns, in fee simple, or for any lesser estate, such lands, tenements and hereditaments, and such personal estate, 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: *Provided*, That the real estate which it shall be lawful for the said corporation to hold, shall not at any time exceed two thousand acres of land: *Provided*, That nothing herein contained shall be considered as in any way giving to the said corporation any banking or trading privileges whatever, or any privileges for manufacturing iron, or any other liberties, privileges or franchises, but such as shall be necessary or incident to the mining, coking, transportation and sale of coal and the other products of coal lands, and to the construction of a railroad from the coal mines of the company to a point on the railroad from Blossburg, in Tioga county, to the New York state line, at Lawrenceville: *Provided also*, That the lands held by the said company shall be situate at or near Blossburg, in the county of Tioga.

Form of subscription.

Subscriptions.

Letters patent.

Name.

Privileges and franchises.

Real estate.

Proviso.

Banking prohibited.

Proviso.

SECTION 2. That the coal lands, buildings and other estates whatsoever, necessary for constructing said railroad, and for the carrying on of the said coal trade, which shall be on or before the first day of January next, conveyed or caused to be conveyed, in fee simple, to the said company, shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said corporation among the subscribers, according to their respective interests, for which certificates of stock shall be issued, and be assignable and transferable in such way and subject to such conditions as the said corporation may from time to time prescribe; and the said shares of stock so created, shall be for all legal purposes whatever, deemed and treated as personal estate: *Provided*, That before any real or any personal property, other than money, shall be taken or received in payment of any portion of the capital stock of said company, the same shall be personally viewed and examined by three disinterested persons, to be appointed by the court of common pleas of the county in which such property may be situated, who shall value and appraise the same, and make return thereof, with a description of said property, under their hands and seals, to said court, and if the said return be approved by said court, the same shall be entered on the records thereof, in which case, and not otherwise, the said property may be received and taken at the said valuation or appraisement, and after being so taken shall be considered as part of the capital stock of said company. The said persons authorized to examine and appraise said property in manner as aforesaid, shall be appointed by the said court of common pleas, upon the application of any person interested in said company; and before entering on the duties of their appointment shall be duly sworn or affirmed, well and truly to perform the trust committed to them, and to value and appraise said real or personal property at its bona fide cash value; and the compensation of said persons appointed to examine and appraise as aforesaid, and the other expenses attending said proceedings, shall be as usual in such cases.

Shares. Certificates. Transferable. Proviso. Stock, value how estimated.

SECTION 3. That the better to construct a railroad and to carry on the business of mining, coking, transporting and selling coal, and generally to meet the charges and expenses incident thereto, there shall be paid by every stockholder as aforesaid, for each and every share held by or belonging to him, her or them, such assessment as the stockholders in general meeting may deem expedient and proper, to be payable in such instalments as they may require, which said instalments when called for, besides being a debt due from the original stockholder and his assigns, respectively, shall remain a charge or lien on the said several shares, until the same be fully paid, and every instalment so paid shall be considered as forming an integral part of the said shares respectively: *Provided*, That the whole amount of the monied capital so as aforesaid levied and collected by the said company, shall not exceed one hundred and fifty thousand dollars: *And provided, also*, That each and every stockholder be in his individual capacity liable for the debts and performance of all contracts entered into by said corporation, to the amount of the balance unpaid on the stock of such stockholder.

Instalments. Proviso. Individual liability.

SECTION 4. That for the well ordering of the affairs of the said corporation, there shall be chosen by ballot, at such time and place as the stockholders in general meeting determine, and annually on the same thereafter, by a plurality of the votes of the said stockholders, five directors, a majority of whom shall be a quorum, who may appoint such officers or other persons as may be fixed by the by-laws, or as the said board of directors may think expedient for the good ordering of the affairs of the said company; and in case of an equality of votes for two or more persons, the directors elected shall supply the deficiency by ballot, and the said board may also fill for the remainder of the year,

Election of directors. Officers.

any vacancy that may occur by death, resignation or otherwise: *Provided*, That if the said election for directors shall not take place on any day on which the same ought to be held, it shall be lawful on any other day, as soon as may be, to hold the same in such manner as may be regulated by the by-laws of the said corporation: *And provided further*, That no stockholder shall be entitled to vote on any stock which shall not have stood in his or her name, at least ninety days preceding such election; and no stockholder indebted to the company shall be permitted to make a transfer or receive a dividend, until such debt is discharged, or security given for the same, to the satisfaction of the board of directors. Vacancy. Proviso.

SECTION 5. That the board of directors, or any number of stockholders, being together the proprietors of not less than one-fourth of the whole stock, shall have the power for all the purposes relative to the corporation, to call a general meeting of the stockholders, giving at least twenty days notice thereof, to be served either personally, or by public advertisement in one newspaper printed in the county of Tioga; and at all general meetings, as well as at elections for directors, each share shall entitle the holder thereof to one vote. Votes.

SECTION 6. That dividends of so much of the profits of the institution as shall appear advisable to the directors, 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 thereby impaired; if the said directors shall make any dividend which shall impair the capital stock of said institution, the directors consenting thereto, shall be liable in their individual capacities, to the said company, for the amount of stock so divided; and each director present when such dividend shall be made 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 delivering of such dividend. Dividends.

SECTION 7. That the legislature reserve the right to revoke, alter or annul the charter hereby granted, at any time they may think proper, in such manner, however, as shall do no injustice to the corporation. Repeal.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.