

church, and that said trustees shall pay over the proceeds of said sale, agreeably to the direction, in writing, of such male members.

SECTION 2. That Jacob Sherk, trustee, named in the deed of trust Jacob Sherk, trust to him given by Peter Sherk and wife, for seventy-three perches of land for a meeting house, in said deed of trust mentioned, situate in and wife, to sell East Hanover township, Lebanon county, commonly known as Sherk's real estate. meeting house, be and he is hereby authorized and directed, for such consideration as he may deem sufficient, to grant, bargain, sell, and fully and amply convey unto Jacob Albert, Henry Neidig and George Baumgartner. and their successors forever, in trust, and for the use of those christians worshipping there, by and under the name of "Die Vereingte Bruder in Christo," or "The United Brethren in Christ," all that the said seventy-three perches of land, with the meeting house, buildings and appurtenances thereunto belonging, to have and to hold the said seventy-three perches of land, with the meeting house, buildings and appurtenances thereunto belonging, unto the said Jacob Albert, Henry Neidig and George Baumgartner, trustees as aforesaid, and to their successors, to be chosen by the members of said denomination of christians worshipping there, according to their customs and general usages forever, excepting and reserving to those mentioned in said deed of trust, all the rights and privileges therein reserved unto them.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

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

DAVID R. PORTER.

No. 362.

A N A C T

To authorize the governor to incorporate a company to make a lock navigation on the Youghiogheny river.

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 R. Davidson, George J. Ashman, John M'Burny, William R. Turner, John Smilie, Robert Bleakly, Daniel Kaine, Noble C. M'Cormick, and James Francis, of the county of Fayette. John C. Plumer, J. B. Oliver. Joseph Budd, Bela Smith, Elias Porter, Daniel Hogh, John Boyd, John Frick, ——— Shellenberger, of the county of Westmoreland, and William L. Miller, of the county of Allegheny, are hereby appointed commissioners, to do and perform the several duties and things hereinafter mentioned, that is to say : They, or any seven of them, shall, on or before the first Monday in May, one thou-

Form of subscrip-
tion.

sand eight hundred and forty-five, procure a sufficient number of books, one or more of which shall be opened in the city of Pittsburg and at M'Keesport, in the county of Allegheny, at West Newton and Mount Pleasant, in the county of Westmoreland, at Connellsville, Uniontown, East Liberty, Perryopolis, in the county of Fayette, and at such other places as said commissioners may deem proper, 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 Connellsville and West Newton navigation company, the sum of fifty dollars for every share of stock set opposite to our respective names, in such manner and in such proportion, 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 authorize the governor to incorporate a company to make a lock navigation on the Youghiogheny river." Witness our hand and seals, this

Subscriptions.

day of _____, in the year of our Lord one thousand eight hundred and _____; and shall thereupon give notice in one or more newspapers, in the counties of Fayette, Westmoreland and Allegheny, and at such other places as may be deemed proper, for one calendar month 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 times and places at least one of the commissioners shall attend in person, or by special agency, 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 who shall authorize the same, to subscribe for any number of shares in 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 ten days, at the following named places, to wit: In the city of Pittsburg, at M'Keesport, in the county of Allegheny, at West Newton and Mount Pleasant, in the county of Westmoreland, at Connellsville, Uniontown, East Liberty and Perryopolis, in the county of Fayette, and at such other places as the said commissioners may deem proper; and if, at the expiration of ten days, it shall be ascertained that there is not six hundred shares subscribed in the books aforesaid, the said commissioners may adjourn from time to time, and transfer the books elsewhere, until the whole number of six hundred shares aforesaid shall have been subscribed, of which adjournment and transfer of the books the commissioners aforesaid shall give public notice, as the occasion may require, and when the whole number of shares shall be subscribed, then the books shall be closed: *Provided always*, That every person offering to subscribe in said books, shall previously pay to the attending commissioner or commissioners, or his or their authorized agent, two dollars and fifty cents for every share subscribed, out of which shall be paid the expense of taking such subscriptions and other incidental expenses, and the remainder shall be paid to the treasurer of the corporation, as soon as the same shall be organized, and the officers chosen as herein-after named.

Proviso.

Notes, &c.

SECTION 2. That no note or obligation given by any stockholder, whether secured by a pledge of the stock in said company, or otherwise, shall be considered as payment of any part of the capital stock, until such notes or obligations shall have been actually paid; and no loan of money shall be made by said company to any stockholder therein, whether secured by the pledge of shares in said company, or otherwise; and if any such loan shall be made, the managers and officers of said company, who shall make such loan or assent thereto, shall be jointly and severally liable for the payment of all the debts of said

company, contracted prior to the payment of said loan, to the amount of said loan, recoverable by action of debt, as in other cases.

SECTION 3. That when four hundred shares or more of the capital stock shall be subscribed, the commissioners, or a majority of them, shall certify to the governor, under their hands and seals, the names of the subscribers and the number of shares subscribed by each, 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 all those who shall thereafter subscribe to the number of shares as aforesaid, into one body politic and corporate, and in deed and in law, by the name, style and title of the Name. "President, managers and company of the Connellsville and West Newton navigation company;" and by the same name the subscribers shall have perpetual succession, and may increase their stock to four thousand shares, and shall have all the privileges and franchises incident to a corporation, and shall be capable 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 to fulfil the intention of this act, of purchasing, taking and holding to them and their successors and assigns, in fee simple, or for any less estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do. Privileges and franchises.

SECTION 4. The said commissioners, 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 notice in all the public newspapers hereinbefore mentioned, of the time and place by them appointed, for the subscribers to meet in order to organize said company, who shall choose, by a majority of votes, by ballot, to be given in person, one president and four managers, a treasurer, a secretary and such other officers as shall be deemed necessary; each stockholder having five shares shall have five votes; for every number of shares below five, one vote for each share; and for any number of shares above five, one vote for every two shares; and the president and managers chosen as aforesaid, shall conduct the business of said company until the first Tuesday of October next after said election, and until like officers shall be chosen, and may make such by-laws, rules, orders and regulations as do not contravene the constitution and the laws of the United States, or of this state, that may be necessary for the well governing the affairs of the company, and said company may demand and take such securities from their officers and agents, and in such sums as may be fixed by the by-laws or by resolution of the board, for the faithful discharge of their respective duties. Organization. Officers. Votes. By-laws.

SECTION 5. The said company shall have power to make and complete a lock navigation from the town of West Newton, in the county of Westmoreland, to the west end of Main or Spring street in the borough of Connellsville, in the county of Fayette, and on the Youghiogheny river; and be subject to all the duties, qualifications, restrictions, fines and forfeitures, and be entitled to like tolls and profits as are given and granted to the president, managers and company in an Act to authorize the governor to incorporate a company to make a lock navigation on the river Monongahela, approved the thirty-first day of March, Anno Domini one thousand eight hundred and thirty-six, and the several acts supplementary thereto and declaratory thereof: *Provided*, That it may Extent of works. Powers, restrictions, &c. Tolls. Proviso.

Dams.	be lawful for said company to build their dams of a greater height than ten feet, where the same may require it, and where such increase of height shall do no damage to any owner or owners of property on said river: <i>Provided also</i> , That the said company shall not be required to construct their locks so large as those required on the Monongahela river: <i>Provided</i> , That unless the lock navigation authorized to be made by this act, and by the act of eighteenth April, one thousand eight hundred and forty-three, entitled "An Act to authorize the governor to incorporate a company to make a lock navigation on the Youghiogheny river," shall, in both cases, be commenced within the period of two years from the passage of this act, and finished within five years therefrom, the corporate privileges hereby created, and by the act aforesaid, shall cease and determine.
Proviso.	
Commencement and completion limited.	

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

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

DAVID R. PORTER.

No. 363.

A N A C T

Incorporating the America fire engine company, in the county of Philadelphia.

Company incorporated.	<i>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 all and every the persons who shall, at the time of the passage of this act, be members of the association called the America fire engine company, of the county of Philadelphia, and all such as shall hereafter be regularly admitted as members of the same, shall be and they are hereby declared to be a body politic and corporate, by the name, style and title of the "America fire engine company, of the county of Philadelphia," and by the same name shall have perpetual succession; and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere; and to purchase, receive, hold and enjoy real and personal estate, of whatsoever kind or quality, and choses in action, and the same, from time to time, to sell, grant, alien or dispose of: <i>Provided</i>, That the clear yearly value or income of the real and personal estate of the said corporation, shall not exceed the sum of two thousand dollars; and also to have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws and regulations as shall appear necessary and convenient for said corporation, not being contrary to this charter, or 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 may</i>
Name.	
Powers, &c.	
Proviso.	
Seal.	
By-laws.	