

No. 215.

## A N A C T

To incorporate the Pittsburg and Brownsville turnpike road company.

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 Joseph Curry, Thomas Varner, S. D. Pryor, John Wilson, William

Commissioners.

Cowen, Harvey Griffin, John Cowen, and John Y. Curry, of the county of Allegheny, are hereby appointed commissioners, and shall, on or before the first Monday of September next, procure one or more books, and enter in each of them as follows: "We, whose names are

Form of subscription.

hereunto subscribed, do promise to pay to the president and managers of the Pittsburg and Brownsville turnpike road company, the sum of twenty-five 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 said company, in pursuance of an act of the general assembly of this commonwealth, by which said company is incorporated, for the purpose of making an artificial road from the Monongahela and Coalhill turnpike, and near the top of Coalhill, in the county of Allegheny, towards Brownsville, in Fayette county.

Notice of subscription.

Witness our hands, the                      day of                      in the year of our Lord one thousand eight hundred and                      ;" and shall, thereupon, give notice in two or more of the public newspapers printed in Pittsburg, for one calendar month, at least, of the time, place, when and where the said books shall be opened to receive subscriptions for the stock of the said company; and some one of the said commissioners shall attend accordingly, and permit all persons of lawful age, who shall offer to subscribe in their own name, or names of any other person or persons who shall duly authorize the same, for any number of shares in the said stock; and the said books shall be kept open for the purpose aforesaid, at least six hours in every juridical day, for the space of three days, or until fifty shares be subscribed, and if after the expiration of the said three days, fifty shares shall not have been subscribed, the commissioners 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 adjournments and transfers such public notice shall be given as the occasion may require; and when the whole number of shares shall amount to two hundred shares, the same shall be closed; and every person offering to subscribe in his own name, or name of any other person, shall previously pay to the attending commissioners the sum of one dollar for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions, and such other incidental charges, 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.

SECTION 2. When ten or more persons shall have subscribed fifty or more shares, and the said commissioners, or a majority of them, shall have certified under their hand and seal, to the governor, the names of the subscribers, and the number of shares subscribed by each, it may be lawful for the governor, by letters patent, under his hand and seal of the state, to create and erect the subscribers, and also all those who

Letters patent.

may afterwards subscribe, into one body politic and corporate, in deed and in law, by the name, style and title of "The president, managers Name. and company of the Pittsburg and Brownsville turnpike road;" and by the said name the subscribers shall have perpetual succession, and 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, 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 lands, tenements, hereditaments and estates, real and personal, as shall be necessary to them in the prosecution of their work, 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.

SECTION 3. The stockholders, or any two of them, named in the letters patent, shall, as soon as conveniently may be after issuing of the same, give notice in two or more of the newspapers published in the city of Pittsburg, of a time and place to be by them appointed, not less than twenty days from the time of the first notice, at which time and place the said subscribers, or as many of them as may be then present, shall then proceed to organize the said company, and shall choose, by a majority of the said subscribers, by ballot, in person, 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 from thence, until the next annual election, and until such other officers shall be chosen and organized, agreeably to the provisions of this act; 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, and construct and complete a turnpike road, from the termination of the Monongahela and Coalhill turnpike road, on or near the top of Coalhill, extending towards Brownsville, the distance of five miles, and following as near as practicable the course of the old Brownsville road, and generally have like powers, authorities and privileges, necessary for carrying on and completing said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits, in proportion to the distance finished, as are given and granted to the Pittsburg and Greensburg turnpike road company, by the several acts of this commonwealth: *Provided*, That if the said company shall not proceed to carry on the said work, in three years after the passage of this act, or shall not, within five years afterwards, complete the road, according to the true intent and meaning of this act, 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.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

WILLIAM P. WILCOX,  
*Speaker of the Senate.*

APPROVED—The seventh day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.