

No. 378.

AN ACT

To incorporate the Ocean, Delaware and Philadelphia telegraphic 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*

Corporators.

C. G. Childs, C. S. Riche, William Martin, A. C. Barclay, J. C. Da Costa, N. B. Waldron, J. M. Kennedy, Arthur G. Coffin and Francis R. Cope, and their associates, or persons who shall become stockholders in the company called the "Ocean, Delaware and Philadelphia telegraphic company," be and the same hereby are made and

Purpose.

constituted a body politic and corporate, for the purpose of making, using, maintaining and connecting, in telegraphic communication, the city of Philadelphia and the town of Lewis, in the state of Delaware, and intermediate cities, towns and villages, by the name, style and title

Style.

of the "Ocean, Delaware and Philadelphia telegraphic company;" and

Privileges.

by the same name, style and title, shall have perpetual succession, and all the franchises, privileges and immunities of a corporation, to sue and be sued, implead and be impleaded, complain and defend, in all courts of law and equity, may purchase, receive, hold and enjoy lands, tenements and hereditaments, goods, chattels and estate, and the same from time to time may sell, convey, mortgage, grant, alien and dispose of, to make dividends of such portions of their profits as they may deem proper, have a common seal, ordain and put in execution such

Proviso.

by-laws, ordinances and regulations as they may deem necessary for the government and conducting the affairs and business thereof: *Provided*, That nothing herein contained shall be considered and construed as giving to the said corporation any banking privileges, or any privileges and franchises other than those proper and incident to the making and conducting telegraphic lines and communications, or any power inconsistent with the constitution or laws of this commonwealth: *And provided further*, That if the authority of the United States government shall hereafter be extended over the system of telegraphic communication, then the right of purchasing this line from the corporators is hereby reserved to the United States government: *And it is provided further*, That this state and the United States government shall have the use of this line of telegraph in time of war, and for the arrest of all public criminals and fugitives from justice, free of charge.

Capital.

SECTION 2. The capital stock of said company shall be twenty-five thousand dollars, in shares of fifty dollars each, certificates whereof, under the common seal of said corporation, shall be issued to the person or persons who have or shall subscribe for the same; which stock shall be transferable under such regulations as may be provided by the by-laws.

Powers.

SECTION 3. The said corporation shall have power to connect, by contract with other persons or corporations having other telegraphic lines for the purpose aforesaid, and may organize and act when eighteen thousand dollars of the said capital shall have been subscribed; if deemed necessary by the directors and a majority of the stockholders, the capital stock may be increased to forty thousand dollars.

SECTION 4. The persons named herein, or any five of them, may, on giving ten days' notice to the said subscribers of the time and place of meeting, call a meeting of the stockholders, at the city of Philadelphia, for the purpose of organizing said company, and electing officers to serve until the next annual election. Organization.

SECTION 5. The election of directors of said corporation shall be by ballot, on the first Monday in January of each year; each share of stock shall entitle the holder to one vote, which may be exercised by proxy, producing written authority therefor: *Provided*, That no one stockholder, whatever stock he may hold, shall cast more than one-sixth of the entire vote to which all the shares, if held singly, would be entitled; the directors elected shall elect a president and such other officers as they may deem requisite, and shall have power to make by-laws for the government of the affairs of the company. Annual election.

SECTION 6. It shall be lawful for the said corporation to erect and construct the said line along and across any highways within this state, to the Delaware state line, in such manner as shall not injure or interfere with the public use thereof, and enter on private property, under the provisions contained in the ninth and tenth sections of the act to incorporate the Philadelphia, Reading and Pottsville telegraph company. Construction of line.

SECTION 7. The legislature may at any time alter or repeal this act in such manner, however, as shall do no injustice to the corporators, or wrongfully affect any contract or engagement made by the corporation. Reservation.

WILLIAM F. PACKER,
Speaker of the House of Representatives.
WM. WILLIAMSON,
Speaker of the Senate.

I do certify, that the bill, entitled "An Act to incorporate the Ocean, Delaware and Philadelphia telegraphic company," passed on the twenty-ninth day of March, one thousand eight hundred and forty-eight, which has been disapproved by the governor, and returned with his objections, to the house of representatives, in which it originated, was agreed to by two-thirds of the house of representatives, agreeably to the constitution, on the eleventh day of April, one thousand eight hundred and forty-eight, and that the foregoing is the act so approved by the house of representatives.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

ATTEST:—WILLIAM JACK,
Clerk of the House of Representatives.

I do hereby certify, that the bill, entitled "An Act to incorporate the Ocean, Delaware and Philadelphia telegraphic company," passed on the twenty-ninth day of March, one thousand eight hundred and forty-eight, which has been disapproved by the governor, and returned with his objections, to the house of representatives, in which it originated, was agreed to by two-thirds of the senate, on the eleventh day of April, one thousand eight hundred and forty-eight, and that the foregoing is the act so agreed to by the said senate.

WM. F. JOHNSTON,
Speaker of the Senate.

ATTEST:—SAML. W. PEARSON,
Clerk of the Senate.