pew or pews; and the trustees aforesaid, shall be and they are hereby authorized to enter upon and take possession of the same, and again rent or sell and dispose of the same as fully and effectually as if the same never had been sold: *Provided*, That nothing herein contained shall release the owner or owners of any pew in said church, from the payment of any arrearages due on his or their pew, when the same cannot be disposed of for the amount of said arrearages.

SECTION 3. That any other act or parts of acts inconsistent herewith, be and the same are hereby repealed.

J. S. M'CALMONT,
Speaker of the House of Representatives.
V. BEST,
Speaker of the Senate.

APPROVED—The fifteenth day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 441.

AN ACT

To incorporate the Southern gas company; and relative to the appraisers of tavern licenses in the city and county of Philadelphia.

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 James Bond, M. D., Peter Cullen, James Enue, senior, James Enue, junior, George L. Dougherty, Andrew Miller, William G. Alexander, Joseph Yeager, William Loughlin, James M'Claskey, Andrew Kilpatrick, Seth Craig, Joseph Enue, George Snyder, Dennis Mealy, Francis Tiernan, John G. Rigland, Samuel M'Menamy, Henry Helmuth, Peter Glasgow, Robert Selfridge, William H. Fagan, James A. Campbell, Arthur Hughes, John Porter, P. Reilly, William M'Glensey, James Duffy, Christian Heishley, of the county of Philadelphia, or any five 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 Monday in July next, procure a book, which shall be opened at some convenient place in the district of Moyamensing, in which they shall enter as follows: "We whose names are hereunto subscribed, do promise to pay to the treasurer of the Southern gas company, the sum of ten dollars for each and every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined on by the board of directors, in pursuance of an act of the general assembly of this commonwealth, entitled 'An Act to incorporate the Southern gas company.' Witness our hands, this day of in the year of our Lord, one thousand eight hundred and fifty;" and

Commissioners.

Form of subscription.

thereupon shall give notice in two newspapers printed in the city of Philadelphia, for one week, of the time and place when and where the said book will be opened to receive subscriptions for the stock of said company; at which time and place two or more of the said commissioners shall attend, and permit all persons of lawful age who shall offer to subscribe in the said book, in their own names, or in the names of any other persons who shall authorize the same, for shares of the said stock, upon paying an instalment of two dollars on each share of stock so by them subscribed; and the said book shall be hept open, for the purpose aforesaid, three hours each day for two successive days, or until the whole number of ten thousand shares shall have been subscribed; and if at the expiration of the said two days the whole of the ten thousand shares of stock shall not have been subscribed, the commissioners may meet from time to time until the whole may be subscribed for.

SECTION 2. When one thousand shares or more of the said stock shall be subscribed, and the sum of two dollars paid on each share so subscribed, the commissioners or a majority of them shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed, and the sum of money paid thereon 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 subscriptions be not for the full number of ten thousand shares at the time, then also those who may thereafter subscribe for the residue of the shares as aforesaid, into a body politic and corporate, in fact and in law, by the name, style and title of "The Southern gas company;" and by the same name the said subscribers shall have perpetual succession, with all the privileges, franchies and immunities incident to a corporation, and be able and capable to sue and be sued, implead and impleaded in any court of record or elsewhere; and to purchase, receive, have, hold and enjoy, to them and their successors, all lands, tenements and hereditaments, goods, chattels, materials, personal and real estate as may be necessary and proper for carrying into effect the objects and purposes of this incorporation, and the same from time to time to sell, exchange, mortgage, grant, alien or otherwise dispose of; and shall have power to make, ordain, establish and put in execution such laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation; to make dividends semi-annually of such portions of the profits actually made as the directors for the time being may deem proper; and also to have and use a common seal, and the same to alter and renew at pleasure; and generally to do all and singular other the matters and things which to them it shall lawfully appertain to do for the well being and government of the said corporation; and the said corporation shall have power and authority to erect suitable works for the manufacture of carburetted, hydrogen or any other inflammable gas, from bituminous coal or any other material, for public and private illumination; to lay pipes in all or any of the streets, lanes or alleys of all that portion of the county of Philadelphia lying south of Cedar street, and also to lay pipes in the said Cedar street: *Provided*, That when any of the public highways shall be broken up or disturbed by the said corporation, for the introduction of gas, the same shall be repaired as soon as practicable by the company, at their own expense, under the superintendence of the authorized agents of the district where the said highway may be so broken up or disturbed as aforesaid.

Letters patent.

Style.

Privileges.

SECTION 3. Within sixty days after the issuing of the letters patent, the commissioners, or majority of them, shall give at least ten days' notice, to be published in two daily newspapers of the city of Phila-

Organization. Annual election. Board of directors. Powers.

delphia, of the time and place by them appointed for the said subscribers to meet, for the purpose of organizing said company by holding an election, to choose, by a majority of votes of the said subscribers then present, seven directors, (being stockholders,) who shall hold their offices until the second Monday in April next succeeding their election; and annually thereafter, on the second Monday in April in each year, the stockholders shall elect seven directors, who shall have the management of the affairs of the company: the directors for the time being shall be empowered to fill any vacancy which may occur in their board, and each stockholder shall be entitled, at any election or meeting of the company, to vote in the following manner: for one share one vote; for three shares two votes; for six shares three votes: for ten shares four votes; for sixteen shares five votes; for twenty-five shares six votes; for thirty-five shares seven votes; for fifty shares eight votes; for seventy-five shares nine votes; for one hundred shares and upwards ten votes: the directors shall choose annually from their number a president; and they shall have power to erect works, make contracts, adopt by-laws, elect officers, and do all other things needful to carry into effect the objects of this act: they shall keep accurate accounts of their receipts and expenditures, and shall submit to the stockholders, at their annual meeting in April, a report of the condition of the company: *Provided*, That the treasurer to be elected by the directors shall be a stockholder of the company, and shall give a bond with sufficient sureties to the satisfaction of the directors, conditioned for the faithful performance of the duties of his office: *Provided also*, That no stockholder, whether the original subscriber or assignee, shall be entitled to vote at any election of said company, unless the whole sum due and payable at the time of such election, on the shares by him or her held, shall have been fully paid and discharged.

Officers.

Certificates of stock. Transferable.

SECTION 4. The said directors shall make out certificates of stock, signed by the president, and countersigned by the treasurer, and sealed with the corporate seal of the company, and deliver one such certificate to each subscriber for any share or number of shares by him or her held; which certificates shall be transferable in person or by attorney on the books of the said company: *Provided*, That no such transfer shall be made until all sums due at the time of such transfer upon the stock intended to be transferred shall be fully paid; and the assignee of said stock shall hold it subject to all payments thereafter to become due thereon.

Number of shares.

SECTION 5. The number of shares of said company shall consist of ten thousand, but may be increased to twenty thousand; notice of the requisition of the instalments due on the capital stock shall be given by the directors, in two of the daily newspapers of the city of Philadelphia, fifteen days before the same shall become due and payable; and should any of the stockholders neglect or refuse to pay the said instalments within ten days after the same shall become due and payable, the amount previously paid on such stock shall become forfeited to the company, and said stock may be sold by the directors to any person for such price as can be obtained for the same.

Commissioners of Moyamensing may subscribe to stock of said company.

SECTION 6. The commissioners of the district of Moyamensing may subscribe for any number of shares in said company, not exceeding six hundred shares in all, and not exceeding three hundred shares in any one year; and the said commissioners of the district of Moyamensing are hereby authorized to contract with the said company for the sale of such property and materials as may have been purchased by said district for the introduction of gas, at such price as may be agreed upon between them; and the said commissioners shall pay, and the said company shall receive the property and materials aforesaid, at such price as shall have been agreed upon between them as aforesaid, in payment on account of the subscription of the said commissioners to the stock of the said company.

SECTION 7. If the said directors shall deem it inexpedient to erect works for the manufacture of gas, they are hereby empowered to employ the capital thereof, or as much as may be deemed necessary, in laying pipe for the distribution of gas for public and private illumination, and to contract for and purchase from any other person or persons or corporation, the gas to be sold by them: *Provided*, That said company shall not erect works or lay pipes through any portion of the district of Southwark.

Power to erect works.

SECTION 8. Any person or persons who shall wilfully injure any part or parts of the works of said company, or any pipe of the same, or shall interfere with any of the rules and regulations of the said company, so as to endanger the property of any person, or inflict injury upon this corporation, shall be deemed guilty of a misdemeanor, and upon conviction of the same before any alderman, justice of the peace, or other authorized officer, shall be fined a sum not less than ten nor more than fifty dollars for every such offence.

Penalty for injuries to company's works.

SECTION 9. If the said company shall not carry into operation the objects of their charter within the term of three years from the passing of this act, then this charter shall become null and void.

Objects of their charter to be carried into operation within three years.

SECTION 10. That the county commissioners of the county of Philadelphia, shall be required to provide a suitable office for the transaction of the business of the appraisers of tavern licenses, and the appraisers of mercantile taxes, the expense thereof not to exceed one hundred and fifty dollars per annum, to be paid by the treasurer of said county, out of any moneys belonging to the commonwealth which may be in his hands; and the auditor general shall allow the same in auditing the accounts of said treasurer: *Provided*, That the amount paid by the said treasurer for printing blanks and stationery for said appraisers, shall not exceed fifty dollars per annum.

Provision for the office of appraisers of tavern licenses and mercantile taxes.

SECTION 11. That the authority given to municipal corporations to subscribe to the stock of the Pennsylvania railroad company, by the supplement to an act, entitled "An Act to incorporate the Pennsylvania railroad company," approved March twenty-seventh, one thousand eight hundred and forty-eight, shall be granted by a majority of the board of commissioners of the several districts therein referred to: *Provided*, Said railroad company will take in payment of such subscriptions, the certificates of loan of said corporation at par, which certificates shall be exempt from taxation except for state purposes.

Pennsylvania railroad, relative to subscriptions to, by municipal corporations.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The fifteenth day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.