

LAWS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1856,

IN THE

EIGHTIETH YEAR OF INDEPENDENCE.

WITH AN APPENDIX.



HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1856.

No. 573.

A N A C T

To incorporate the Conemaugh Bridge 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

Commissioners. John Murray, Jacob Fronheiser, James H. Pennel, John Fenlon, David Prosser, C. P. Murray, P. Cawfield and William Howard, of Cambria county, be and they are hereby appointed

Duties. commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Conemaugh bridge company, for the purpose of erecting a bridge across the Conemaugh river, at or near the first fording above the feeder dam for the canal basin at Johnstown, in Conemaugh township, Cambria county.

Capital. *SECTION 2. That the capital stock of said company shall be five thousand dollars, to be divided into shares of ten dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge.*

Subject to *SECTION 3. That said company shall be organized under and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.*

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 574.

A N A C T

To incorporate the Johnstown Water and Gas 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. P. F. Gibbons, Cyrus L. Pershing, Charles P. Murray, John Flanagan and Dr. John Lowman, and their successors, associates and assigns, or persons who shall become stockholders, be and they are hereby made and created a body politic and corporate,

Style. by the name, style and title of the Johnstown water and gas

company, and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatures whatsoever, and also of contracting and being contracted with relative to the business and objects of said corporation; and they may have a common seal and may change and alter the same at pleasure, and they shall have power to lease or purchase in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money for the same and other necessary effects of said corporation, as they may deem expedient: *Provided*, That such liabilities shall be created only for the purposes stated in this act.

Privileges.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery or engines necessary or proper for making, raising and introducing into the borough of Johnstown, the adjoining borough of Conemaugh and Kernsville, a sufficient supply of pure water and gas, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of water and gas, or either of them to be introduced; and for that purpose they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain materials for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same from time to time repair; and if any injury be done to private property the said company shall make compensation therefor in the manner hereinafter provided.

Power to erect works. &c.

SECTION 3. That if in the location of said works an injury shall be done to private property and the parties cannot agree upon the amount of compensation to be made to the owner or owners, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Cambria county for the appointment of three judicious men to view the premises and make report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment and be collected in like manner.

Damages.

SECTION 4. That the capital stock of said company shall be eighty thousand dollars, to be divided into thirty two hundred shares of twenty-five dollars each, with the right to increase said capital stock from time to time as the board of directors or managers may deem necessary: *Provided*, That the whole capital stock shall not exceed one hundred thousand dollars.

Capital.

SECTION 5. That the stockholders shall annually, on the first Monday in June of each year, elect a president, three managers, a secretary and treasurer for said company; and until the first Monday in June next the corporators above named shall be the managers thereof, and shall choose from their number a president, secretary and treasurer.

Election of officers

SECTION 6. That the said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*,

By-laws

That the same do not conflict with constitution and laws of this commonwealth.

Subscriptions.

SECTION 7. That it shall be lawful for the boroughs of Johnstown and Conemaugh, in their corporate capacity, to subscribe for any number of shares of stock of the said company, specifying, if the said boroughs, in their corporate capacities as aforesaid, think proper, whether their subscriptions so made by the said boroughs, shall be applied to the construction of water or gas works; and to enable the said boroughs of Johnstown and Conemaugh to subscribe stock as aforesaid, they are hereby authorized to borrow from time to time, any amount of money not exceeding the one-third of the whole sum required to carry into successful operation the said water works or gas works, or either of them, and to pledge their property and franchises for the payment of the same; and if the said boroughs of Johnstown and Conemaugh shall subscribe and take one-third of the capital stock which shall be subscribed for the completion of said work or works, the town council of the said boroughs shall annually appoint each one manager of said company, and in that event, the election of all stockholders shall be confined to the president and three managers, secretary and treasurer, as aforesaid, and other stockholders shall alone have power to vote at such elections and meetings.

Certificates of stock.

SECTION 8. That the president and managers shall procure certificates of stock, which, when signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his or her pleasure, in the presence of the president, treasurer, or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company, the holder shall be a member of said company, and in every election or meeting of stockholders of said company, shall be entitled to one vote for each share of stock by him or them held.

Transfers.

Collection of subscriptions.

SECTION 9. That if any subscriber for stock of said company, or his or their assigns, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay, and if the same shall remain so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of said company to forfeit the said stock, and the amount paid thereon, to be disposed of by the said company as will best promote their objects.

May borrow money, &c.

SECTION 10. That the said company, if necessity shall require, shall have power at any time to borrow any sum of money not exceeding twenty thousand dollars, to be applied to the prosecution or improvement of the said water or gas works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for security and payment of the same: *Provided*, That no bonds shall be issued for a less sum than one hundred dollars.

Organization.

SECTION 11. That the said corporators above named, or any three of them, shall have power to organize said company at any time after the passage of this act, by opening books in the said boroughs of Johnstown and Conemaugh, and soliciting

subscriptions to the capital stock of said water or gas company, and to contract with any person or persons for the erection of the said works, or either of them: *Provided*, That no contract shall be made for the erection of the said work or works, till at least twenty-five thousand dollars of the capital stock of said company shall first be subscribed, after at least one week's due notice in one newspaper printed in the said borough of Johnstown. Proviso.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.

No. 575.

A N A C T

To incorporate the Mutual Fire Insurance Company of Roxborough, Manayunk and Montgomery county.

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 Charles Thomson Jones, James F. Nicholas, John Hagy, Nathan L. Jones, Henry Proot, George W. Davis, Henry K. Bogle, Joseph Dickinson, Joseph Shantz, Daniel O. Hitner, John Dager, John Righter, junior, and Benjamin Harry, are hereby appointed commissioners, who or a majority of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the Mutual fire insurance company of Roxborough, Manayunk and Montgomery county, to be located in Roxborough, in the Twenty-first ward of the city of Philadelphia, with the power to establish agencies; which said company shall be organized and managed according to an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini, one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class in the seventh section of said act, with the right to transact its business upon the mutual principle.

RICHARDSON L. WRIGHT,
Speaker of the House of Representatives.

WM. M. PIATT,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

JAMES POLLOCK.