

## CHAPTER XXVIII.

*An ACT to enable the governor to incorporate a company, to make an artificial road, from the Anderson's ferry, Waterford and New-Haven turnpike road, along Elbow lane or Pleasant alley, past Henry Shares' mill; thence through Christian Leib's lane, to the north end thereof, thence in two branches, to intersect the Lancaster, Elizabethtown, and Middletown turnpike road, at the towns of Richland and Mountjoy.*

SECT. I. *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* Henry Share, Henry Cassel, Jacob Rohrer, Christian Leib, James Mahaffey, James Patterson, George Snyder, and Jacob Graybill, 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 of March next, procure two books, and in each of them enter as follows: "We whose names are hereunto subscribed, do promise to pay to the president, managers, and company, of the Marietta, Richland, and Mountjoy turnpike road, the sum of one hundred dollars for every share of stock in said company set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled, "An act to enable the governor of this commonwealth to incorporate a company, for making an artificial road from the Anderson's Ferry, Waterford, and New-Haven turnpike road, along Elbow lane or Pleasant alley, past Henry Shares' mill; thence through Christian Leib's lane, to the north end thereof, thence in two branches to intersect the Lancaster, Elizabeth-town and Middletown turnpike road; at the towns of Richland, and Mountjoy," and shall thereupon give notice in two of the public newspapers in the borough of Lancaster, four weeks at least of the times and places when and where, in the borough of Marietta the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places, some two of the said commissioners shall attend and permit, and suffer all persons of lawful age, who shall offer to subscribe in the said books, in their own names, or the names of any other persons who shall duly authorize the same, 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 three days, or until the said books shall have one hundred and twenty-five shares therein subscribed; and if at the expiration of the said three days, the books aforesaid

Commissioners appointed to open books of subscription.

Price of shares.

Notice to be given of the time and place of opening the books.

Two commissioners to attend.

How long books to be kept open.

shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books from the borough of Marietta, elsewhere, until the whole number of shares shall be subscribed; of which adjournments and transfers the commissioners aforesaid, shall give such public notice as the occasion may require, and when the whole number of shares subscribed in all the said books shall amount to one hundred and twenty-five, the same shall be closed: *provided always*, that every person offering to subscribe in the said books, in his own, or any other name, shall previously pay to the attending commissioners, the sum of ten dollars for every share to be subscribed, out of which shall be defrayed the expenses of attending the taking of such subscriptions, and 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 hereafter mentioned.

Commissioners may adjourn and transfer their books.

Ten dollars to be paid on each share at subscribing.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty persons or more shall have subscribed fifty shares of the said stock, the commissioners shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the governor; and thereupon it shall and may be lawful for the governor, by letters patent under his hand and the seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, those also who shall afterwards subscribe, to the number aforesaid, into one body, politic and corporate, in deed and in law, by the name, style, and title of, "The President, Managers and Company of the Marietta, Richland, and Mountjoy Turnpike Road," and by the said name the subscribers shall have perpetual succession, and all the privileges and franchises, incident to a corporation, and shall be capable of taking and holding their said 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, and 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 works; 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.

When twenty persons or more have subscribed 50 shares.

Letters patent may issue.

Style of corporation.

Their privileges and franchises.

SECT. III. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, as soon as conveniently may be after said letters patent shall have been issued, shall

Notice to be given of the time and place of organizing the corporation.

give notice, in two of the public newspapers in the borough of Lancaster, of the time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person or by proxy duly authorized, one president and eight managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year, and until other officers shall be chosen; and shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of the United States, and of this state, as shall be necessary for the well ordering the affairs of the said company; and generally have like powers, authorities and privileges, necessary for carrying on and completing the 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, as are given and granted to the president, managers and company, of the Lancaster and Susquehanna turnpike road; *provided*, that no toll be demanded or taken from any person passing from one part of his or her farm to another part thereof, and to or from any place of public worship, or funeral, or from the militia on days of muster: *and provided also*, that if the company shall not proceed to carry on the said works in three years after the passing of this act, or shall not within seven years afterwards, complete the said road according to the true intent and meaning of this act, then in either of these cases, all and singular the rights, liberties and franchises, hereby granted to the said company, shall revert to the commonwealth.

What officers, and in what manner to be chosen.

Authorized to make by-laws.

To be under the same rules, restrictions, and have like privileges to the Lancaster and Susquehanna turnpike company.

Certain exemptions,

Work to commence within three and be completed within seven years.

JOHN TOD, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of January, one thousand eight hundred and thirteen. SIMON SNYDER.

CHAPTER XXIX.

*A SUPPLEMENT to the act, entitled, "An act for raising by way of lottery, a sum not exceeding twenty thousand dollars, to be applied to the defraying the expenses of paving the streets in the borough of Lancaster, in the county of Lancaster."*

WHEREAS the surviving managers of the Lancaster street lottery, have represented to the legislature, that they were authorized by an act of the legislature, passed ninth March, one thousand seven hundred and ninety-seven, to raise