

CHAPTER XLVII.

An ACT to enable the governor to incorporate a company, to make an artificial road beginning at the end of the Little Conestoga turnpike road, in the county of Berks, thence through Morgantown, and Churchtown, to the Blue ball tavern in Lancaster county.

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 William Clymer, Jonathan Hudson, and David Morgan, of Berks county, and Christian Mast, George Jenkins, John Zell, Martin Ringwald, Joseph Weaver, Richard Jacobs, and George Weaver of Lancaster county, 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 day of May 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 Morgantown, Churchtown and Blue ball turnpike road, the sum of fifty dollars for every share of stock in the company, set opposite to our respective names, in such manner and proportion, 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 to incorporate a company to make an artificial road, beginning at the end of the Little Conestoga turnpike road, in the county of Berks, thence through Morgantown and Churchtown to the Blue ball tavern, in Lancaster county.” Witness our hands the

day of _____ in the year of our Lord one thousand eight hundred and _____ and shall thereupon give notice in two public papers, printed in the counties of Berks and Lancaster, for one calendar month at least, of the times and places when and where the said books shall be opened to receive subscriptions for the stock of said company, at which respective times and places, some one of said commissioners shall attend, and shall permit all persons of lawful age, who shall offer to subscribe in said books, in their own name or 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 six days, or until the said books opened in Morgantown and Churchtown shall have six hundred shares therein subscribed; and the said books opened at the Blue ball tavern, shall have two hundred shares therein subscribed; and if at the expiration of the

Commissioners names.

Duties of.

Notice to be given when and where the books shall be opened.

Number of shares to be subscribed.

said six days, the books aforesaid or any of them, shall not have the respective number of shares as aforesaid therein subscribed, the said commissioners may respectively 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 transfer 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 eight hundred, the same shall be closed: *provided always*, that every person offering to subscribe in the said books in his own name, or in any other name, shall previously pay to the attending commissioners, the sum of five dollars for every share he shall so subscribe, out of which shall be defrayed the expenses attending the taking 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 hereinafter mentioned, to be by him from time to time invested in the name of, and for the benefit of the said corporation, in some public fund or stock within the state of Pennsylvania.

SECT. II. *And be it further enacted by the authority aforesaid*, That when one hundred and fifty shares shall be actually subscribed, the said commissioners shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each to the governor, of this commonwealth, 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, 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 Morgantown, Churchtown and Blue ball turnpike road; and by the same name, the said 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, their successors and assigns, and of selling, transferring, and conveying, in fee simple, or for any less estate, all such land, tenements, hereditaments, and estate, 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 or thing which a corporation or body politic may lawfully do.

SECT. III. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, shall as soon as conveniently may be, after the said letters patent are obtained, give notice in two public papers printed one at Reading, and one at Lancaster,

Provide.

When the governor may issue letters patent.

Style and title of corporation.

Privileges of the company.

When the company shall be organized.

of a time and place to be by them 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 twelve managers, one treasurer and such other officers as they may think necessary to conduct the business of said company for one year, and until other such officers shall be chosen ; and may make such by-laws, rules, orders, and regulations, not inconsistent with the laws of this commonwealth, as shall be necessary for the well ordering of the affairs of the said company : *provided always*, that no person shall have more than ten votes at any election, or in determining any question arising at such meeting, whatever number of shares he may be entitled to ; and that each person shall be entitled to one vote for every share by him held under the said number ; *Provided nevertheless*, that all future annual elections of the said corporation, shall be held upon such notice, and in manner and form aforesaid, at such places as the managers aforesaid shall direct and appoint.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the said company shall meet on the first Monday of October in every year, at such place as shall be fixed on by their by-laws, for the purpose of choosing officers as aforesaid, for the ensuing year, in manner aforesaid, and at such other times as they shall be summoned by the managers, in such manner and form as shall be prescribed by their by-laws, at which annual or special meetings they shall have full power and authority to make alter, or repeal, by a majority of votes, all such by-laws, rules, orders, and regulations aforesaid, and to do and perform any other corporate act, for the well ordering of the institution.

SECT. V. *And be it further enacted by the authority aforesaid*, That the said company shall make and complete their road in the same manner as the Little Conestoga turnpike company are by law directed, and shall be licenced in the same manner, and shall be subject to similar rules and regulations, forfeitures, and penalties, and shall be entitled to similar tolls for like distances as the before mentioned company are by law directed to ask and receive.

JOHN ST. CLAIR, *Speaker*
of the House of Representatives.

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

APPROVED—the twenty-fifth day of February, one thousand eight hundred and fourteen.

SIMON SNYDER.

Officers to be elected.

Proviso.

When annual meetings shall be held.

Making of by-laws.

How the road shall be made and completed.