

town clerk, before they shall enter on the duties of their respective offices.

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

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

APPROVED—the twenty-sixth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

## CHAPTER CXXV.

*An ACT to incorporate the York Haven Company.*

WHEREAS it is represented to the Legislature by the petition of the York Haven Company, that they have formed an association or limited copartnership for the purposes of improving the Conewago Canal in York county, and of establishing mills and other water works, of laying out roads to and along the said canal, of erecting houses, stores and other buildings adjacent thereto as places for the deposit and sale of grain, lumber and other articles brought down the river Susquehanna, of laying out, selling and disposing of building lots to persons desirous of improving, and that for the purposes they have purchased a tract of land containing two hundred and twenty-eight acres, and eighty one perches, or thereabouts, adjoining the said canal, and situate on York side of said river. And the said company have prayed that they may be incorporated in order to enable them the more effectually to accomplish the object of their association; Therefore,

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 the present members of the York Haven Company, that is to say: Thomas Willing Francis, William Cole, William Wilson, James Wilson, Thomas Wilson, William Gwynn (of John) Joseph Townsend, Herman Henry Hackeman, Justus Hoppe, Isaac Burneston, Robert Barry, Edward Ireland, John Heathcote, William M'Mechen, Frederick Waeshe, James Labes, James Nelson, John Davis and Joshua Stevenson, their successors and assigns, shall be, and they are hereby made and constituted a body politic and corporate, by the name, style and title of the York Haven Company; and by the same name, style and title, shall have continual succession, and shall be capable in law to sue and be sued, to plead and be impleaded, and to make, have and use a common seal, and the same at their pleasure to alter or renew, and to purchase, hold, enjoy, dispose of and convey any lands, tenements, hereditaments, goods, chattles and all manner of estates, real, personal, or mixed:—

Members of the  
York Haven com-  
pany.

Incorporated.

*Provided,* The same shall not exceed at any one time, one million dollars.

SECT. II. *And be it further enacted by the authority aforesaid,* That the affairs and business of the said company shall be managed and transacted, and the powers and privileges granted by this charter, shall be exercised by a president and five directors, all of whom shall be stockholders in the said company, and any person ceasing to be a stockholder, shall also cease to be a director.

By whom the affairs of the company shall be managed.

SECT. III. *And be it further enacted by the authority aforesaid,* That the present president and directors of the said company, to wit: William Cole, president, Joseph Townsend, John Heathcote, Justice Hoppe, John Davis, and William Gwynn, directors, are hereby declared to be the president and directors of the "York Haven Company" aforesaid, and entitled to hold their offices until the first Monday in December, one thousand eight hundred and fourteen, and until a new election shall take place in the manner herein prescribed, and may exercise the powers, and shall be subject to the restrictions and rules contained in this act.

President and directors names.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the president and directors of the said company shall be elected annually on the first Monday in December, by the stockholders for the time being, voting by ballot in person or by proxy, according to law; each share shall be entitled to one vote, and a majority of the whole number of votes given, shall be necessary and sufficient to elect the president, and any two disinterested persons appointed by the board of directors, or a majority of them shall receive the votes and be judges of the election; and if from any cause an election shall not take place on the day appointed, the said judges may appoint another day within thirty days thereafter, for an election, of which and of all other days appointed for elections, the stockholders shall be notified in such manner as the by-laws of the said company may provide.

Of annual elections.

How the elections shall be conducted.

SECT. V. *And be it further enacted by the authority aforesaid,* That all the property, lands, canal, estate and improvements in Newberry township, York county, heretofore owned by Thomas Willing Francis, of Philadelphia, and which by indenture or deed, bearing date the twenty-first day of November, in the year eighteen hundred and ten, he conveyed and transferred to John Weatherburn, Joseph Townsend and Thomas Wilson, in trust for the benefit of themselves and the other stockholders herein before named, and all other rights, privileges and advantages appurtenant thereto, and all the estate, right, title, interest, property, claim and demand at law and in equity, which the said Thomas Willing Francis had held, possessed or was entitled to, immediately before the execution of the said deed, and which he transferred and conveyed to the said John Weatherburn, Joseph Townsend and Thomas Wilson and their

Certain estate vested in the York Haven company.

heirs, shall be, and the same are hereby vested in the "York Haven Company," and their successors in their corporate capacity, to be held, improved, sold, leased, or otherwise disposed of by the president and directors of the said company for the time being, or a majority of them, for the benefit of the stockholders in the said company, and their assigns or representatives, in proportion to their respective shares or interest therein as stated in the said deed, which shares or interest shall be deemed and considered as personal estate, and shall be assignable in such manner, and under such restrictions as the by-laws and ordinances to be made, by the president and directors, or a majority of them shall direct; and when any present or future stockholder, shall by one or more transfers, assign his whole interest in the said joint stock, to any other person or persons, he shall cease to be a stockholder, and every person to whom any share or shares shall be transferred, or who shall become entitled to any share or shares by devise, shall become a stockholder in the said company.

Management of the estate by said company.

Shares may be transferred.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the president and directors of the York Haven company, or a majority of them shall have power, and they are hereby authorized to elect a secretary of the company, who shall hold his office during the pleasure of the board of directors, to fix the salary of the president and secretary, to appoint and employ such and so many agents, factors, clerks and other persons, as the affairs of the company may in their judgment from time to time require, and allow them such compensation, salary or wages as they may think proper, to do and perform such acts, and make such by-laws and ordinances, rules and regulations not inconsistent with the laws of the United States, or of this state as they or a majority of them may find convenient, useful or necessary for exercising and carrying into effect the powers granted by this act, and in general for the better managing and promoting the interests of said corporation and company, or for the improvement of the natural advantages of the lands, rights and privileges vested in or owned by them in as full and ample a manner as any other corporate body within this commonwealth can or may do: *Provided,* That nothing in this act shall prevent the opening and completing the turnpike road from Yorktown to the head of the canal, the breadth called for under the act passed for that purpose: *And provided also,* That the said company shall not in any wise injure or obstruct the navigation of the said river.

Powers of the said company.

Proviso.

SECT. VII. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the York Haven company aforesaid, to cause the locks of the said canal to be enlarged to the width of twenty feet, and to open, extend or deepen the said canal at the north end, so as to give free and safe admission to all boats, arks and rafts navigating the Susquehanna river, and also to in-

Alterations of the canal.

troduce into the said canal a sufficient quantity of water from the said river at all times to insure a safe and free navigation through the said canal and to supply the works that are or shall be thereon erected.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the said York Haven company, their agent or agents, are hereby authorized and empowered to demand and receive from the owner or owners or managers of each boat, raft, vessel or craft as follows, to wit: for each boat the sum of one dollar; for each ark, the sum of three dollars; for each raft of boards or lumber of any kind, two dollars for each passage up or down the said canal and locks; the said company shall keep and maintain a skilful person for opening the locks, for assisting the boatmen in their passage through the same.

Toll for passing through said canal.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the said company shall not have power to issue any note or order in the nature of a bank note, to be indorsers on any note in their corporate capacity, or to make discounts or receive deposits after the manner of any bank.

The company shall not issue bank notes, &c.

SECT. X. *And be it further enacted by the authority aforesaid,* That if said company hereby incorporated shall at any time misuse or abuse any of the privileges or franchises hereby granted, the legislature may at any time resume or annul all and singular the rights, privileges, liberties and franchises hereby granted to said company.

When the company shall be deprived of their privileges.

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

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

APPROVED—the twenty-sixth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CXXVI.

A SUPPLEMENT to the act entitled "An act to amend and consolidate with its supplements, the act entitled "An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace, and for the election of constables and for other purposes."

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 if any referee appointed under the third section of the act to which this is a supplement, or under an act regulating the proceedings of justices of the peace and aldermen, in cases of trespass, trover and rent, shall not attend at the time and place fixed for hearing the cause, it shall be the duty of the referee or referees present, (where the parties cannot agree on the per-

Certain proceeding of referees, &c.