

out under the authority of the courts of general quarter sessions of the peace in this commonwealth.

SECT. III. *And be it further enacted by the authority aforesaid,* That when the road hereby established shall have been opened and made in a manner suitable for public use, then and from thenceforth, that part of the state road between the two points aforesaid, which runs through North-street, in the said town of New-castle, be and the same is hereby vacated. A certain road vacated.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all roads north and west of the rivers Ohio and Alleghany, and Conewango creek, heretofore laid out, commonly called state roads, shall, from and after the passing of this act, be kept in repair by the supervisors of the several townships through which they pass, the same as roads laid out by order of the court of general quarter sessions of the peace. How certain state roads shall be kept in repair.

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

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

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

SIMON SNYDER.

CHAPTER CL.

An ACT authorizing the governor to incorporate a company for making an artificial road from the Lancaster, Elizabethtown and Middletown turnpike, to the ferry on the Swatara creek, near the mill formerly owned by James Wallace.

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 John Swar, Martin Greider, John Houtz, Daniel Greider, Jacob Rohrer, Abraham Harnly, Jacob Gish, David Rahm, Christian Hartzler, of the county of Lancaster, and James Wilson, James Wallace, John Hoffer, Christian Shank, Martin Hocker, Samuel Wilson, David Ferguson, and James Johnston, of the county of Dauphin, be, and they are hereby appointed, commissioners to do and perform the several duties hereinafter mentioned: *that is to say,* they shall on or before the first day of April next, procure two or more books, and shall enter therein as follows, to wit: "We whose names are hereunto annexed do promise to pay to the president, managers, and company of the Elizabethtown, Conewago, and Swatara 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 in such proportions, and at such times, as shall be determined by the said president Commissioners named. Duty of.

and managers: Witness our hands and seals, the day of _____ in the year of our Lord one thousand eight hundred and ____." And shall thereupon give public notice in three or more public newspapers, printed in the counties of Lancaster and Dauphin one month at least, of the time or times, place or places, when and where the said books shall be kept open to receive subscriptions for stock of the said company, at which respective times and places some one of the said commissioners shall attend and shall permit and suffer all persons of lawful age to subscribe in the said books, in their own names or the names of any other person 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 two days, or until the said books shall have four hundred shares therein subscribed; and if, at the expiration of the said two days the books shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and from place to place, until the whole number of shares shall be subscribed, of which adjournments and transfers they may give such public notice as occasion shall require, and when the whole number of shares subscribed in said books shall amount to four hundred the same shall be closed: *Provided always*, that every person offering to subscribe in his own name, or in the name of any other person, shall previously pay to the attending commissioners the sum of ten dollars on every share to be subscribed, out of which shall be defrayed the expense of taking such subscription and all other incidental expenses, 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.

Who shall give notice on the opening of the books.

When books may be transferred.

Proviso.

SECT. II. *And be it further enacted by the authority aforesaid*, That when fifty persons or more shall have subscribed one hundred and fifty or more shares of said stock the commissioners, or a majority of them, shall certify under their hands 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 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 law, by the name, style, and title of "The President, Managers, and Company of the Elizabethtown, Conewago, and Swatara 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

When 150 shares are subscribed the governor shall issue letters patent.

Title of the company, and privileges of.

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, transferring, and conveying, in fee simple, or for any less estate, all such lands and 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 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, as soon as may be after the said letters patent shall have been issued, they shall give notice in three or more of the public newspapers printed in the counties of Lancaster and Dauphin, of the time and place by them to be appointed, which shall not be 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, twelve managers, one treasurer and such other officers as they shall think necessary to conduct the business of the company for one year, and until other officers shall be chosen; and they shall and may make such by-laws, rules, orders and regulations, not inconsistent with the laws of the United States or of this state, as shall be necessary for the well ordering of the affairs of the company, and they shall have power to lay down the route, and make an artificial or turnpike road beginning at or near Elizabethtown in the county of Lancaster and make the same by the best and nearest route to the ferry on Swatara creek, near the mill formerly owned by James Wallace in Dauphin county; and generally shall have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, except the grant of money by state subscription, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to the like tolls and profits in proportion to the distance as are given and granted to the president, managers and company of the Lancaster, Elizabethtown and Middletown turnpike road: *Provided,* that no toll shall be demanded or taken from any person passing from one part of his or her farm to another part thereof, or to or from any place of public worship or funeral nor from the militia going to or returning from muster.

When and where the company shall be organized.

And officers chosen.

And may make by laws.

Powers and privileges of the company.

Provido.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any stockholder, original subscriber or assignee after thirty days notice in the public papers beforementioned of the time and place appointed for the payment of any proportion or instalment of the said capital stock in order to carry on the said work, shall neglect to pay such proportion for the space of

Penalty on failing to pay instalments.

thirty days after the time appointed for the payment thereof, every such stockholder shall, in addition to the instalments so called for, pay at the rate of five per centum per month for every delay of such payment, and if the same and the said additional penalty shall remain unpaid for such space of time as that the accumulated penalty shall have become equal to the sums before paid in part and on account of such share, the same may be forfeited by and to the said company at any of the meetings of the managers and may be sold by them to any person willing to purchase for such price as can be obtained therefor, or in default of payment by any of the stockholders, of any such instalments as aforesaid, the said president and managers may cause suits to be brought in any court having competent jurisdiction for the recovery of the same, together with the penalty aforesaid; *provided*, that if the company shall not proceed to carry on the said works in three years from the passing of this act and shall not in seven years thereafter 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 this commonwealth.

Of forfeitures.

Provided.

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

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

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

SIMON SNYDER.

CHAPTER CLI.

An ACT to authorize the governor to incorporate a company for making an artificial road from the borough of Marietta through Portsmouth, towards Harrisburg.

SECT. 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 Henry Shearer, James Mahaffy, Matthias Rank, Alexander Boggs, John Longnecker, Henry Haldeman and Jacob Brubacker of the county of Lancaster, George Fisher, James Hamilton, Christian Spayd, John Shelly, John Elliot and Martin Neisley, (Miller) of the county of Dauphin, Henry Erwin, William Barber and George Spangler of the county of York, be and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned: that is to say, they shall, on or before the first day of May next, procure three or more books and in each of them enter as follows:*

Commissioners names.

Duties of.

“We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Marietta and