

CHAPTER. IX.

AN ACT

*Authorising the Governor to incorporate the Kennet and  
Downingtoun Turnpike Company.*

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 James Jefferies, William Downing, Humphrey Marshall, William Webb, Jesse John, Isaac Trimble, Isaac Bennet, Caleb Brinton, jun. and James Jones be, and they are hereby appointed commissioners to do and perform the several duties herein after mentioned, that is to say, they shall on or before the first Monday in May next, procure two or more books, and in each of them, enter as follows, to wit: " We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Kennet and Downingtoun turnpike road, the sum of fifty dollars each, 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 president and managers of said company. Witness our hands the*

Commissioners to take subscription.

Public notice to be given of opening books, and how long kept open.

Who may subscribe.

May adjourn and transfer books until 1200 shares are subscribed.

Proviso.

Three dols. to be paid on each share at subscribing.

day of one thousand eight hundred and seventeen." And shall thereupon give public notice in two public papers printed in the county of Chester, for three weeks at least, of the times and places, when and where the said books shall be kept open to receive subscriptions for the stock of said company, at which times and places, some one or more of the said commissionerers shall attend and shall permit 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 authorise 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 three days, or until said books shall have twelve hundred shares subscribed, and if at the expiration of the said three days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the said books elsewhere, until the whole number of shares shall be subscribed for, of which adjournment and transfer, the commissioners aforesaid may give such public notice as occasion may require, and when the whole number of shares subscribed for in all the said books, amount to twelve hundred, the same shall be closed. *Provided always, That every person offering to subscribe in his own name or any other name, shall previously pay to the attending commissionerers, the sum of three dollars for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscriptions and all other incidental ex-*

penses, 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 herein after mentioned.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the said road shall commence at the end of the Wilmington and Kennet turnpike, where the same intersects the line of the state of Delaware, and from thence pursue the nearest and the best route to the Philadelphia and Lancaster turnpike road, where the same is intersected by the Downingtown, Ephrata and Harrisburg turnpike.

SECT. 3. *And be it further enacted by the authority aforesaid,* That when thirty persons or more shall have subscribed five hundred 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 for by each to the Governor, and thereupon it shall and may be lawful for him 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, into one body politic and corporate in deed and in law, by the name of style and title of "The President, Managers and Company of the Kennet and Downingtown 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, and in such manner and form as they shall think proper, if such enlargement shall be found necessary, to fulfil the intention of the act, and of purchasing, taking and holding to them and their successors, and of selling and 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 and thing which a corporation or body politic may lawfully do.

When thirty persons or more shall have subscribed 500 shares, letters patent may issue.

Style of corporation.

Rights and privileges. Stock may be increased.

May purchase & hold lands, &c..

SECT. 4. *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 shall have been issued, give notice in one or more of the public newspapers of the county of Chester, 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 said subscribers by ballot, to be delivered in person or by proxy duly authorised, one president and six 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 may make such bye-laws, rules, orders and regulations not inconsistent with the laws of the United States or of this

Notice to be given of the time and place for organizing the company.

What officers to be chosen.

May make bye-laws.

Have like powers and take like tolls with the Little Conestoga turnpike company.

Proviso. Time of commencing and completing the work.

May not carry on any banking business.

state, as shall be necessary for the well ordering the affairs of the 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 Little Conestoga turnpike road. *Provided*, that if the company shall not proceed to carry on the said work in four years after the passing of this act, or shall not within ten years afterwards complete the same 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.

SECT. 5. *And be it further enacted by the authority aforesaid*, That if the company authorised by this act to be incorporated, shall at any time issue any note or notes in the nature of bank notes, or carry on any business in the nature of banking, then or in either of those cases, all the powers and privileges granted by this act shall cease and be determined.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,  
*Speaker of Senate.*

APPROVED—the ninth day of January, one thousand eight hundred and seventeen.

SIMON SNYDER,

## CHAPTER X.

### AN ACT

*Releasing to Eleanor Archbold the right of this Commonwealth to a certain escheated estate.*

WHEREAS it is represented to the legislature, that Patrick Archbold, late of the county of Adams, deceased, died intestate without heirs or any known kindred, possessed of a personal estate, which is supposed to have escheated to the commonwealth. And whereas the said Patrick left a widow, named Eleanor, in whose favor it appears just, that the claim of this commonwealth to the said property should be released.

Therefore,

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General As-*