

CHAPTER LXXXVIII.

An ACT to enable the governor to incorporate a company for making an artificial road from the Portage branch of the Allegheny river at Smethport, by the way of Instanter and Rich Valley to the Portage branch of the river Sinnemahoning, in the county of M'Kean.

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 Charles W. Hare, Benjamin B. Cooper, John Keating, James Allen, Thomas M'Clintock, William Vicry, John Hays and William Wilson, be, and they are hereby appointed commissioners to do and perform the several things herein after mentioned, that is to say, they shall on or before the first day of January 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 Allegheny and Susquehanna turnpike road, the sum of fifty 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 to incorporate a company for making an artificial road from the Portage branch of the river Allegheny at Smethport, by the way of Instanter and Rich Valley, to the Portage branch of the river Sinnemahoning in the county of M'Kean," and shall thereupon give notice in two of the public newspapers, one in the town of Northumberland, and one in the city of Philadelphia, for one calendar month at least, of the times and places when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places some one or more 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 name or in 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 six days, or until the said books shall have four hundred shares therein subscribed, and if at the expiration of the said six days the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioner or commissioners may adjourn from time to time and transfer the said books elsewhere 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 re-*

Commissioners nominated to open books of subscription.

Shares 50 dollars.

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

How long books are to be kept open.

Power to adjourn and transfer books.

quire, and when the whole number of shares subscribed in all the said books shall amount to four hundred, 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 commissioner or commissioners, the sum of five dollars for every share to be subscribed, 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 herein after mentioned.

SECT. II. *And be it further enacted by the authority aforesaid*, That when twenty persons or more shall have subscribed one hundred shares of the 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 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, and if the said subscription be not full at the time, then also those 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 Allegheny and Susquehanna 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, 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 matter and thing which a corporation or body politic may lawfully do.

Proviso.

Twenty persons or more having subscribed 100 shares, the company to be incorporated.

Style of the corporation, their powers and privileges.

SECT. III. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid or a majority of them, as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in two of the public newspapers, one in the town of Northumberland, and one in the city of Philadelphia, of a 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 per-

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

What officers are to be chosen and in what manner.

Power to make by-laws &c.

By what rule the tolls to be regulated.

Proviso.

son or by proxy duly authorized, one president and five 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 such 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, or of this commonwealth, 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 Susquehanna and Lehigh turnpike road," passed the nineteenth day of March, one thousand eight hundred and four; *Provided*, That if the company shall not proceed to carry on the said work in three years after the passing of this act, or shall not within ten 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 this commonwealth.

JOHN WEBER, *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 eleven.

SIMON SNYDER.

CHAPTER LXXXIX.

A SUPPLEMENT to an act entitled, "An act to authorize the governor to appoint commissioners for the purpose of laying out a road, beginning at or near Kelso's ferry in Cumberland county, through York and Adams counties, to the Maryland line, in a direction to the city of Washington."

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 governor be, and he is hereby authorized to appoint three commissioners to review and lay out a road, beginning at the state road leading from Harrisburgh to Carlisle at or near Kelso's ferry in Cumberland county, by the nearest and best route to or near Eichelberger's tavern, in York county, through Gettysburgh in Adams county, to the Maryland line in a direction to the city of Washington; and the commissioners*

Governor to appoint commissioners to review and lay out a road from Kelso's ferry to the Maryland line, &c.