

## CHAPTER LXXX.

AN ACT to enable the governor to incorporate a company to make an artificial road, by the best and nearest route from the west end of the borough of York to the borough of Gettysburg, in the county of Adams.

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* David Cassat, Jacob Hay, Penrose Robison, Godfrey Lenhart, Frederick Bagher, Jacob Fahnestock, George Himes, Samuel Grayble, George Lashells, James Gettys, Alexander Cobean, Walter Smith, Ralph Lashells and John Murphey, be, and they are hereby appointed commissioners to perform the several things hereinafter mentioned, *that is to say,* They shall, on or before the first Monday in June 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 York and Gettysburg 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 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 to make an artificial road, by the best and nearest route, from the west end of the borough of York to the borough of Gettysburg, in the county of Adams." And shall, thereupon, give notice in two of the public newspapers printed in the borough of York, and one in the borough of Gettysburg, and elsewhere if occasion may require, 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 two of the said commissioners shall attend, and permit all persons of lawful age, who shall offer, to subscribe in the said books, in their own name or the names of any other person or 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 three days, or until the said books so opened at the borough of York, shall have five hundred shares therein 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 from the borough of York 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 require, and when the whole number of shares subscribed in all the said books shall amount to nine hundred, the same shall be closed: *Provided,* That every person offering to subscribe in the said books, in his own or any other name, shall previously pay to the attending 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

Commissioners names.

Their duty.

Opening of books.

Proviso.

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.

SECT. II. *And be it further enacted by the authority aforesaid,* That when fifty persons or more shall have subscribed two hundred and fifty shares of the said stock, the commissioners or a majority of them shall certify, under their hands and seals, 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 said subscriptions 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 York and Gettysburg 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 other matter and thing which a corporation or body politic may lawfully do.

SECT. III. *And be it further enacted by the authority aforesaid,* That if any stockholder, whether original subscriber or assignee, after thirty days notice in the public papers before mentioned, the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, shall neglect to pay such proportion for the space of thirty days after the time appointed for the payment thereof, every such stockholder shall, in addition to the instalment 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 public meeting of the managers thereof, and may be sold by them to any other person or persons willing to purchase, for such price as can be obtained therefor; or in default of payment by any stockholder, of any such instalment as aforesaid, the said president and managers may, at their election cause suit to be brought in any court having competent jurisdiction, for the recovery of the same: *Provided always,* That no stockholder, whether original subscriber or assignee, shall be entitled to vote at an election, or at any general or special meeting of said company, unless the whole sum due and payable as aforesaid, on the share or shares by him held at the time of such election, or general or

special meeting of the said company, shall have been fully paid and discharged as aforesaid.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be after said letters patent shall be sealed and obtained, shall give notice in two of the public newspapers in the borough of York, one of which shall be in the German language, and one in the borough of Gettysburg, and elsewhere if occasion may require, 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 person or by proxy duly authorized, one president and twelve 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 the said managers so chosen, and their successors, are hereby authorized to make a turnpike road from the west end of the borough of York, the nearest and best route to Gettysburg, in the county of Adams, and shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws 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 York borough turnpike road: *Provided,* That if the company shall not proceed to carry on the said work in five 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.

Organization  
of the com-  
pany.

Proviso.

Of the for-  
feiture of the  
rights.

JACOB HOLGATE, *Speaker*  
of the *House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred  
and fifteen.

SIMON SNYDER.

## CHAPTER LXXXI.

An ACT to authorize William Hunter, of Butler county, to convey  
lands.

SECT. I. *BE it enacted by the Senate and House of Representa-  
tives of the Commonwealth of Pennsylvania, in General Assembly*