

**Common seal** same, That the said corporation shall have and use a common seal, with such inscription or device as the president and managers shall from time to time direct and order. And the said president and managers shall have authority from time to time, to make and prescribe such rules and regulations in relation to the form, attestation, number and delivery of the certificates for the stock of the said company, and to the transfer and assignment of the said stock, as they shall judge to be expedient. And every assignee of any share or shares of the said stock, by transfer duly made according to the said rules and regulations shall be a member of the corporation, and possess and enjoy all the rights, privileges, benefits and emoluments to which he would have been entitled if he had been an original subscriber.

**Power to make rules relative to the certificates of the stock and its assignment.**

**Rights of the assignee.**

**Repeal.** **SECT. 2.** *And be it further enacted by the authority aforesame,* That the fifth section of the act to which this is a supplement, be and the same is hereby repealed.

WILLIAM DAVIDSON, *Speaker*  
of the House of Representatives.

ISAAC WEAVER,  
*Speaker of the Senate.*

APPROVED—the tenth day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

## CHAPTER LXXXIV.

### *AN ACT*

Authorising the incorporation of the Gettysburg and Hagerstown Turnpike Road Company.

**Commissioners named.** **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 Alexander Cobean, John Murphy, Ralph Lashells, Bernard Gilbert, James Gilliland, Walter Smith, William Miller, Amos Maginley, Andrew Marshal and John Robinson, all of Adams county, and Daniel Royer, Michael Stoner and William Blakely of Franklin county, be and they are hereby appointed commissioners to perform the several duties hereinafter mentioned, that is to say, They or a majority of them shall, on or before the first day of May next, procure three or more books, and enter therein as follows: "We

**Books to be procured.**

whose names are hereunto subscribed, do promise to pay to the President, Managers and Company of the Gettysburg and Hagerstown Turnpike Road company, the sum of fifty dollars for each and every share of stock in the said company set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the said president and managers of the said company, in pursuance of an act of the General Assembly of this Commonwealth, entitled ' An act authorising the incorporation of the Gettysburg and Hagerstown Turnpike Road company,' witness our hands the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_

And the said commissioners or a majority of them shall give notice in one newspaper printed in the city of Philadelphia, one in the borough of Gettysburg, one in the borough of Chambersburg, and one in Hagerstown for one calendar month, of the times and places where the said books shall be opened to receive subscriptions of stock for the said company, at which respective times and places two or more of 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 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 the space of six days, or until the said books have two thousand shares subscribed; or if at the expiration of the said six days the books as aforesaid shall not have the said two thousand shares subscribed, then the said commissioners may adjourn from time to time, and from place to place until the whole number of shares be subscribed, of which adjournment the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares subscribed shall amount to two thousand, the same shall be closed: *Provided always,* That every person offering to subscribe in the said books in his own name, or the name of any other person, shall previously pay to the attending commissioner or commissioners, the sum of two dollars for every share to be subscribed, out of which shall be defrayed the expenses attending in taking such subscriptions and other incidental charges, and the remainder shall be paid over to the treasurer of the said corporation as soon as the same shall be organised, and the officers chosen as hereinafter mentioned.

Engagement of subscribers.

Notice to be given of opening the books.

Subscriptions to be taken.

Books to be kept open till 2,000 shares are subscribed.

May adjourn.

Notice thereof.

Proviso.

§ 2 to be paid on subscribing.

SECT. 2. *And be it further enacted by the authority aforesaid,* That when fifty persons or more have subscribed five hundred or more shares of the said stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed, they shall under their hands and seals certify to the Governor the names of the subscribers, and the number of shares subscribed by each, and there-

When 50 or more persons have subscribed 500 shares, letters patent may issue.

upon it shall 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, 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 Gettysburg and Hagerstown Turnpike Road Company," and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their 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 lesser estate, all such lands, tenements, hereditaments, and estate 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. 3. *And be it further enacted by the authority aforesaid,* That the commissioners aforesaid, as soon as conveniently may be after the letters patent shall be sealed and obtained, shall give notice in one newspaper printed in the city of Philadelphia, one in the borough of Gettysburg, one in the borough of Chambersburg, and one printed in Hagerstown, of a time and place by them appointed not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organise the said corporation, and shall choose by a majority of votes of the said subscribers then present by ballot, to be delivered in person or by proxy duly authorised, one president, eight 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 duly chosen; and the said managers so chosen and their successors, shall and may make such bye-laws, rules, orders and regulations not inconsistent with the constitution or laws of the United States or of this 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 York and Gettysburg Turnpike road, by an act passed the eleventh day of March one thousand eight hundred and fifteen: *Provided,* That no toll shall be demanded or taken from any person passing or repassing from one part of his farm to another, or to or from any place of

Style and title.

Rights and privileges.

Notice to be given, and corporation to be organised.

What officers shall be chosen.

Power to make bye laws.

To have like powers, &c. with the York and Gettysburg turnpike road company.

Proviso.

public worship, funeral, militia training, general or special election, or from any student or child going to or from any school or seminary of learning: *And provided also*, That if the company shall not proceed to carry on the work in five years after the passing of this act, or shall not within ten years 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 company shall revert to the commonwealth.

SECT. 4. *And be it further enacted by the authority aforesaid*, That as soon as the company shall have been organised as aforesaid, they shall proceed to lay out and make said road by the nearest and best route from the borough of Gettysburg to the state line in a direction towards Hagerstown; and as soon as five miles or more of the road aforesaid shall have been completed, the president and directors shall give notice thereof to the Governor, who shall thereupon nominate and appoint three skilful, disinterested and judicious persons to view and examine the same, who shall be under oath or affirmation, and report to him whether the road is made and executed in a competent and workmanlike manner; and if their report shall be in the affirmative, then the Governor shall by license under his hand and seal of the commonwealth, permit and suffer the president and managers to erect and affix such and so many gates or turnpikes upon and across the said road as will be necessary and sufficient to collect the tolls which the company respectively shall be entitled to demand and receive.

Route of the road.

How the same shall be viewed and examined.

Gates erected.

SECT. 5. *And be it further enacted by the authority aforesaid*, That if the legislature should at any time after the year one thousand eight hundred and thirty-five, think proper to take possession of said road, three persons shall be appointed by the Governor, three persons by the president and managers of the said company, and three by the judges of the supreme court, who are hereby required to appoint the same, who or any six or more of them not having any interest in the said road, shall proceed to examine and estimate the value of the property which the said company have therein, and certify the amount thereof to the Governor, who shall cause the same to be laid before the legislature at their next session; and whenever the amount so certified shall be paid by the state to the said company, their right to take toll on the said road, together with all their right, title, claim and interest therein shall cease and determine.

Proceeding in case the legislature think proper to take possession.

WILLIAM DAVIDSON, *Speaker of the House of Representatives.*

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the tenth day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.