

**Capital stock may be increased to 8000 shares.**

SECT. 23. *And be it further enacted by the authority aforesaid,* That if any increase of the capital stock be deemed necessary by the stockholders to complete the said rail-road, it may be lawful for the said president, managers and company, at a stated or special meeting, convened for the purpose, to increase the number of shares so that they shall not exceed in the whole eight thousand; and to receive and demand the monies for shares so subscribed, in like manner and under like penalties as are hereinbefore provided for the original subscription, or as shall be provided for by their by-laws.

**Declaration of right of legislature to repeal.**

**Proviso. Of right to purchase in 30 years.**

SECT. 24. *And be it further enacted by the authority aforesaid,* That if it shall appear that the privileges by this act granted are injurious to the interests of this commonwealth, the legislature reserve the right to revoke, alter or annul the charter hereby granted, at any time they may think proper: *And provided,* That the state may at any time, after the expiration of thirty years, have the privilege of purchasing the entire interest and property of the said corporation, at a just and reasonable valuation or appraisement, to be made in such manner as may at any time hereafter be provided for by law.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

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No. 92.

AN ACT

To authorise the Governor to incorporate the Hummelstown, Middletown and Portsmouth turnpike road company.

**Commissioners to open books.**

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 John Fox, William Henderson, Joseph Hummel, John Binehduer, Joseph Brestle, Henry Smith, Martin Kendig, John M'Cammon and Jacob Hummel, be and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say: that they

shall on or before the first day of May next, procure two books, and enter in them as follows: "We, whose names are hereunto subscribed, do promise to pay unto the president, managers and company of the Hummelstown, Middletown and Portsmouth turnpike road company, the sum of fifty dollars for every share of said stock 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 authorise the Governor to incorporate the president, managers and company of the Hummelstown, Middletown and Portsmouth turnpike road company.' Witness our hands the day of \_\_\_\_\_ in the year of our Lord, one thousand eight hundred and thirty-one;" and shall thereupon give notice in two newspapers printed in the county of Dauphin, for six weeks at least, of the time and place when and where said books shall be opened to receive subscriptions for the stock of said company; at which times and places one or more of said commissioners shall attend, and permit all competent persons to subscribe in said books, in their own names or in the names of any other persons who shall duly authorise the same, for any number of shares of stock he or they may deem proper; and the said books shall be kept open, for the purposes aforesaid, at least five hours every day, for the space of ten days, and until two hundred shares shall have been subscribed: *Provided*, That if at the expiration of the said time of ten days, the aforesaid number of shares shall not have been subscribed therein, then the said commissioners, or either of them, may adjourn from time to time, as to them may appear necessary, until the whole of the aforesaid number of shares have been subscribed; and when two hundred shares have been taken, then the books to be closed.

Form of subscription.

\$50 per share.

Notice.

Whole No. 200 shares.

Provide. Adjournments from time to time.

SECT. 2. *And be it further enacted by the authority aforesaid*, That whenever ten or more persons shall have subscribed one hundred or more shares, then the said commissioners shall certify the same to the Governor, together with the names of the persons so subscribing, and the number of shares taken by each; and thereupon it may be lawful for the Governor, by letters patent under his hand and the seal of the state, to create and erect the subscribers, or those who shall afterwards subscribe, into one body corporate and politic, by the name, style and title of the "President, managers and company of the Hummelstown, Middletown and Portsmouth turnpike road;" to have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding their said 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 may be necessary; of taking and holding to them, their successors and assigns, and of selling, transferring and con-

When 10 persons take 100 shares to be incorporated.

Style.

Privileges, liabilities, &amp;c.

veying, in fee simple or otherwise, any lands, hereditaments and estates, of which they may at any time be possessed; suing and being sued, and doing all other matters and things which a corporation or body politic may lawfully do.

SECT. 3. *And be it further enacted by the authority aforesaid,* That said commissioners, as soon as may be convenient, after the said letters patent may have been granted, shall give notice, in the public papers aforesaid, of the time and place when and where the said subscribers shall proceed to organize the said corporation; at which time and place, by ballot, they shall elect by a majority of votes of said subscribers, to be delivered in person, or by duly authorised proxy, one president, six managers and one treasurer, and such other officers as may be deemed necessary, to conduct the business of said company for one year; and the said president and managers, so chosen, are hereby authorised to make such by-laws, rules and regulations, as may be necessary for the well ordering and conducting the affairs of said company: *Provided,* That they be not inconsistent with the laws of this state or the United States, or the constitutions of the same; and generally to have like powers and privileges, for completing said road, and be subject to the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to take and receive like tolls and profits, in proportion to the length of said road, as are given and granted to the president, managers and company of the Lancaster, Elizabethtown and Middletown turnpike road; and said turnpike road shall commence at the Diamond, in the town of Hummelstown, in the said county of Dauphin, and be continued from thence to intersect the Lancaster, Elizabethtown and Middletown turnpike road, near the Swatara bridge, and from thence through Middletown to Portsmouth, in the county aforesaid; or the president and managers shall have the authority to commence the said road, at the Diamond, in Hummelstown, or at or near John Hacker's, upon the Downingtown, Ephrata and Harrisburg turnpike road, and to continue the same, crossing the Swatara creek, at Nisley's mill, and thence by the best and nearest way, through Middletown, to Portsmouth, in the said county: *Provided nevertheless,* That if said company shall not complete said road within three years after the passage of this act, according to the true intent and meaning thereof, it shall and may be lawful for the legislature to resume all and singular the rights, privileges and immunities, hereby granted to said company.

Organization of company.

President, 6 managers, treasurer, &c.

Proviso. By-laws.

General powers, same as Lancaster & Middletown company. Commencement and termination of road, choice of two routes.

2d proviso. If not completed in 3 years, legislature may resume privileges.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.