

part of the road to be made by them, until the road shall be completed from the Cumberland county line to Chambersburg, any thing in this act to the contrary notwithstanding.

Section XXVIII. (Section XXVIII, P. L.) And be it further enacted by the authority aforesaid, That until the whole of the said road from Harrisburg to Pittsburgh shall be completed, the operation of the act to which this is a supplement, shall be and the same is hereby suspended.

Approved March 31, 1807. Recorded in L. B. No. 10, p. 491.
Note (c) Chapter 2647; Supra this volume, p. 73.

CHAPTER MMDCCCIII.

AN ACT TO ENABLE THE GOVERNOR TO INCORPORATE A COMPANY FOR MAKING AN ARTIFICIAL ROAD BY THE BEST AND NEAREST ROUTE, FROM THE BOROUGH OF YORK TO THE MARYLAND LINE, AT THE PLACE THE PRESENT YORK ROAD PASSES THE SAME, OR AS NEAR THERETO AS THE COMMISSIONERS SHALL FIND EXPEDIENT.

Section I. (Section I, P. L.) 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 Adam Hendrix, George Lotman, George Bard, Caleb Kirk, Philip Frederick, Robert Hamersly, Jacob Louks, Isaac Kirk, and John Brillinger, from the county of York, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned: that is to say, they shall on or before the first Monday in May 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 Maryland Line Turnpike Road, the sum of one hundred dollars for every share of stock in said company set opposite 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 by the best and nearest route from

the borough of York to the Maryland line, at the place the old York road passes the same, or as near thereto as the commissioners shall find expedient, and shall thereupon give notice in two of the public papers printed in the borough of York (one of which to be in the German language), and in one of the public papers printed in the borough of Carlisle, in the county of Cumberland respectively, 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 and suffer all persons of lawful age who shall offer to subscribe in the said books, in their own name or the names of any persons who shall fully 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 opened at the borough of York shall have seven hundred and fifty 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 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 seven hundred and fifty, 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 commissioners the sum of ten 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 hereafter mentioned.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That when fifty persons or more shall have subscribed one hundred and fifty shares of the said 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 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 Maryland Line 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 fulfill 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.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the commissioners aforesaid, as soon as conveniently may be, after said letters shall be sealed and obtained, shall give notice in two of the public papers in the borough of York, (one of which shall be in the German Language), and also in one of the public papers in the borough of Carlisle respectively, 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 sub-

scribers 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 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 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 as are given and granted to the president, and managers and company of the Susquehanna and York Borough Turnpike Road.⁽¹⁾

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the time granted to the president, managers and company of the Susquehanna and York Borough Turnpike Road, to commence the making of the said road, be, and the same is hereby extended to the first day of April, one thousand eight hundred and ten.

Approved March 31, 1807. Recorded in L. B. No. 10, p. 503.

Note (1) Chapter 2470; 17 States at Large, p. 726.

CHAPTER MMDCCCIV.

AN ACT TO RAISE BY WAY OF LOTTERY A SUM OF MONEY FOR THE PURPOSE OF IMPROVING THE NAVIGATION OF PENN'S CREEK, IN NORTHUMBERLAND COUNTY.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted