

## CHAPTER MMMCIX.

AN ACT TO EXTEND THE POWERS OF THE GETTYSBURG AND PETERSBURG TURNPIKE COMPANY, AND TO ENABLE THE GOVERNOR TO INCORPORATE A COMPANY TO MAKE AN ARTIFICIAL ROAD FROM A POINT NEAR GALLAHER'S SAW MILL, TO THE BOROUGH OF CHAMBERSBURG.

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 the Gettysburg and Petersburg turnpike company, be and they are hereby authorized to extend an artificial road from the courthouse in the borough of Gettysburg to a point near to Gallaher's saw mill, on the east side of the south mountain, in the direction of Chambersburg, and shall have power from time to time to enlarge their stock for that purpose, and generally shall have the like power and authority for laying out, carrying on, and completing the extension as aforesaid of the said 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 to them by the act<sup>(1)</sup> of assembly under which they were incorporated.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That Andrew Dunlop, Jacob Heiser, Edward Crawford, Isaac Eaton, John Haliday, William Alexander, David Eby, Jacob Stauffer, Peter Kuffer, Henry Work, John Vance, John Myers, and Christian Hagey, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, that is to say: they shall on or before the first Monday in November 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 and managers of the Chambersburg Turnpike Road Company, the sum of one hundred dollars for every share of stock in said company set opposite to our respective names, in such



scriptions 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 III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That when fifty persons or more shall have subscribed two hundred 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 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 and Managers of the Chambersburg Turnpike Road Company," 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.

Section IV. (Section IV, P. L.) 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 three of the public

newspapers, two in the borough of Chambersburg and one in Gettysburg, 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 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 shall have power to survey, lay down, ascertain, mark and fix such route as they shall deem expedient, beginning at or near Gallaher's sawmill, in the county of Adams, and ending at the borough of Chambersburg; 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<sup>(1)</sup>: 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 seven 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.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 377.

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