

hours in every juridical day, for the space of six days, or until said books so opened shall have five hundred shares therein subscribed, and if at the expiration of the said six days, the books aforesaid, or either of them shall not have the respective number of shares aforesaid therein subscribed, the said commissioners respectively may adjourn from time to time, and transfer the said books from place to place, until the whole number of shares shall be subscribed, of which adjournment and transfer, the commissioners aforesaid shall give such public notice as occasion may require, and when the whole number of shares subscribed in all the books, shall amount to five hundred shares the same shall be closed: *Provided* ^{Proviso} *always*, That every person offering to subscribe in the said books in his own name, or in the name of any other person, shall previously pay to the attending commissioner, the sum of two dollars fifty cents for every share to be subscribed, out of which shall be defrayed the expenses attending the taken of such subscription; 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 hereinafter mentioned.

SECTION 2. That when twenty or more persons shall have subscribed one hundred or more 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, and thereupon, it shall and may be lawful for the governor, by letters patent under his hand and the seal of 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 by the name, style and title of the ^{Letters patent} *Name* Freeport and Kittanning turnpike road company, and by the same name, the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, ^{Privileges and franchises} 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, transferring and conveying in fee simple, or for any lesser estate, all such land, 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 any other matter or thing which a corporation or body politic may lawfully do: *Provided* ^{Proviso} *always*, That if the company incorporated by this act, shall at any time issue any note or notes in the nature of bank notes,

or shall transact any business in the nature or manner of banking, then, and in either of those cases their chartered privileges shall cease and revert to this Commonwealth.

Organization SECTION 3. That the commissioners as soon as may be, after said letters patent shall be sealed and obtained, shall give notice in one or more newspapers printed in the borough of Freeport, and borough of Kittanning aforesaid, of the time and place by them to be appointed, not less than thirty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize, 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, six 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 be chosen, and the said managers so chosen and their successors, shall and may make such by-laws, rules, orders and regulations not inconsistent with the constitution and laws of this state, or of the United States as shall be necessary for the well ordering of the affairs of the said company, and shall have power to lay out, construct and complete a turnpike road from the borough of Freeport to the borough of Kittanning, confining their location to the bed of the Freeport and Kittanning road as now established by law so far as the same is practicable or advisable, and shall have like powers, authorities and privileges necessary for carrying on and completing 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 Pittsburg and Greensburg turnpike road, by the several acts of this Commonwealth: *Provided*, That if the said company shall not proceed to carry on the said work within five years, after the passage of this act, or shall not within twenty years afterward complete the said road according, to the true intent and meaning of this act, in either of those cases, it shall and may be lawful for the legislature of this Commonwealth, to resume all and singular the rights, privileges, liberties and franchises by this act granted to said company.

Election of officers managers &c

By laws

Powers privileges and tolls

Repealing clause

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The twenty-third day of June, one thousand eight hundred and forty-two.

DAVID R. PORTER.