

the authority of the same, That the electors residing within the district composed of Buffalo township, in the county of Armstrong, shall hold their general elections at the house now occupied by John M'Dowell in the said township, any law or laws to the contrary notwithstanding.

Approved February 7, 1803. Recorded L. B. No. 8, p. 203.

---

CHAPTER MMCCCXXII.

---

AN ACT TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO INCORPORATE A COMPANY FOR OPENING THE NAVIGATION OF CONECHOEAGUE CREEK, FROM THE MOUTH OF THE FALLING SPRING, IN THE TOWN OF CHAMBERSBURG, TO THE MARYLAND LINE.

Whereas the navigation of the said creek, from the mouth of the Falling Spring, in the town of Chambersburg, would greatly facilitate the conveyance of all kinds of produce to market, down the Potomac, and the same is obstructed by the number of mill dams erected on said creek, previously to its being delared a highway: Therefore,

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 John Calhoun, Benjamin Chambers, Dr. Robert Johnston, John Brown, Jacob Zanck, George Clark, David Kennedy, Col. William Alexander, James M'Calmont, Jacob Cassel, esquire, James Ramsey, Archibald Irvin, William M. Brown, Samuel Colhoon, Josiah Crawford and Archibald Baird, esquires, 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 September 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 Conechoeague navigation, the sum of twelve dollars for every share set opposite our names, in such proportions and at such times as shall be determined by the president and managers, in pursuance of an act of

the general assembly of this commonwealth, entitled "An act to enable the governor of this commonwealth to incorporate a company for opening the navigation of the Conechocheague creek, from the mouth of the Falling Spring, in the town of Chambersburg, to the Maryland line." Witness our hands the                      day of                      ," and shall thereupon give notice, four times successively in the weekly newspaper, printed in Chambersburg, of the time and place, when and where the books shall be opened to receive subscriptions for stock of the said company, at which times and places, some two of the commissioners, shall attend for the space of one day, and receive subscriptions from all persons of full age, either in their own names or that of any other person by them authorized, and in case the said shares do not amount to the number of four hundred, the said commissioners may adjourn from time to time, until the said number of shares shall be subscribed for. Provided always that every person offering to subscribe in the said books, as aforesaid, shall previously pay to the attending commissioners two dollars, for every share to be subscribed, out of which shall be defrayed all incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That when two hundred or more shares shall be subscribed for, the said commissioners respectively may, or when the whole of said shares are subscribed for, shall certify under their hands and seals, the names of the subscribers and number of shares subscribed for 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 that 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 Conechocheague navigation," and by the said name the said subscribers shall have per-

petual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and increasing the same if it shall be necessary, and of purchasing, taking and holding to them and their successors and assigns, all such estate, real, personal and mixed, as shall be necessary in the prosecution of their work, and of suing and being sued, and doing all and every other 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 five persons first named in such letters patent, shall as soon as possible give notice, three times successively in the weekly newspaper aforesaid, of the time and place of meeting, when and where the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes, by ballot, one president, six managers, one treasurer, and such other officers as they shall think necessary to conduct the business of said company, for one year and until such other officers are chosen, and shall or may make such by-laws, rules, orders and regulations not inconsistent with the constitution and laws of this commonwealth, as shall be necessary for ordering of the affairs of said company. Provided always, that no person shall have more than five votes at any election, and that each person shall be entitled to one vote for every share by him held under the said number.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said company shall meet on the first Monday in September in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing other such officers, for the ensuing year in manner aforesaid, and at such other times and places as they shall be summoned by the president and managers.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the president and managers shall deliver a certificate to each person for every share by him subscribed for and held, which shall be transferable at

pleasure, and the assignee thereof shall hold the same subject to the same terms, and with all the advantages of the original holder.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said president and managers shall meet at such times and places as shall be agreed upon, for transacting business, at which meetings five members shall form a quorum, who in the absence of the president may choose a chairman, and shall keep regular minutes of all their transactions, and who shall have power and authority to do and perform all things which they shall judge necessary, to carry on the intended works.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That if any stockholder after twenty days notice, in the newspapers as aforesaid, of the time and place appointed for the payment of any portion or dividend of the said stock, shall neglect to pay such proportion for the space of thirty days after the time so appointed, such stockholder or his assignee shall in addition to the dividend so called for, pay after the rate of five per centum per month for every delay of such payment, and if such accumulated penalties shall become equal to the sum before paid in part and on account of such share, the same shall be forfeited to the said company.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said president and managers, with the workmen and laborers in their employ, to enter upon the lands and tenements through which the said water passes, so as to put locks or shoots in the mill dams, and for the purpose of confining the water in the said creek, and furthering its navigation, giving notice thereof to the owners of the said lands, and doing as little injury as possible to private property, and making amends for any damages that may happen to be done.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the said company having perfected the said navigation, it shall and may be lawful

for them to appoint such and so many toll gatherers as they shall think proper, to collect and receive of and from all and every person or persons using the said navigation, the tolls and rates hereinafter mentioned, that is to say: for every barrel of flour at each lock or shoot the sum of two cents, and so in proportion for every other article, which toll gatherers shall have power to stop and detain every or any boat until the same shall be paid.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That the president and managers shall keep fair and just accounts of the said corporation, and shall once in every year, submit the same to a general meeting of the stockholders, as well of all expenditures, as of the dividends of the profits and income thereof, and shall publish when and where such profit shall be paid.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the president and managers shall cause a printed list of the tolls, which may lawfully be demanded at each lock or shoot, to be fixed and kept up in some conspicuous place, near said locks or shoots, for the information of such persons as may use the said navigation.

Approved February 7, 1803. Recorded L. B. No. 8, p. 212.

---

## CHAPTER MMCCCXXIII.

---

AN ACT ERECTING THAT PART OF PINE TOWNSHIP, IN ALLEGHENY COUNTY, NOT INCLUDED WITHIN THE SEVENTH ELECTION DISTRICT, INTO A SEPARATE ELECTION DISTRICT.

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 from and after the passing of this act, all the township of Pine, in the county of Allegheny, except that part comprehended in the seventh district, shall be a separate election district; and the electors thereof