

**CHAP. 133.** politic and corporate, in deed and in law, by the name, style and title, of The Elk and Christiana Turnpike Company, and by the same name shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of suing and being sued, answering and being answered, and shall be capable of enlarging the stock by new subscriptions if the same shall be found necessary.

Payments how to be made.

5. **AND BE IT ENACTED,** That the sums so subscribed shall be paid to the president and managers aforesaid, in the following manner: One fourth thereof, (including the sum paid at the time of subscribing,) at the end of one month after the election of managers, and the remainder in such sums and at such times as the president and managers may appoint, they giving thirty days public notice of the payments so required.

By 1817, ch. 58, suits may be instituted against subscribers to compel payments.

Direction of road, width.

6. **AND BE IT ENACTED,** That said company shall open said road from said Elk Landing to Christiana Bridge, keeping the now public road from Elk Landing until it crosses Big Elk Creek, and then as nearly straight as the nature of the country will admit, having regard to hills and other obstructions, not more than sixty-six feet wide, and shall cause eighteen feet in width to be bedded with stone, gravel or other hard substance, and erect bridges over the streams crossing the same; and after the whole extent of said road shall be opened, whenever two miles shall be perfected, said company shall be entitled to receive tolls.

Rights, immunities, &c.

7. **AND BE IT ENACTED,** That said company shall be and hereby are invested and clothed with all the privileges, rights, immunities and advantages, which were intended to be held and possessed by the intended turnpike company, incorporated by an act passed at November session eighteen hundred and nine\*, entitled, An act to incorporate a company for making an artificial road from French-town on Elk River, in Cecil county, in the state of Maryland, to the Delaware line, in a direction toward the town of New-Castle, to be governed by the same regulations and restrictions as are therein, and entitled to the same tolls, and every clause and provision in said act relative to the road proposed to be made between French-town and New-Castle, shall be in force as relates to the road herein contemplated so far as the same are applicable.

\* Ch. 64.

When this act shall take effect.

8. **AND BE IT ENACTED,** That when the legislature of the state of Delaware shall pass an act which shall conform to this act, so that the objects of this act can be carried into effect, then this act shall be in operation and take effect.

Any corporation may subscribe for stock.

9. **AND BE IT ENACTED,** That it shall be lawful for any corporation of body politic in the United States to become subscribers for stock in said company, and to make transfers of stock therein in such manner as said company shall prescribe.

If road is not commenced in 3 years right to revert to state.

10. **AND BE IT ENACTED,** That if said company do not proceed to carry on said work within three years after this act comes into operation, or shall not within ten years thereafter complete the said road, it shall be lawful for the legislature of this state to resume the rights, privileges, liberties and franchises, granted by this act to said company.

Persons living on or near said road.

11. **AND BE IT ENACTED,** That it shall not be lawful for said company to receive from any person living within three miles of