

CHAP. 108

day in which the said books shall be opened, nor more than one hundred shares on the second; and if after the expiration of the said three days, the said books shall not have for the said road the full number subscribed, the said commissioners may adjourn from time to time until the number of shares shall be subscribed, of which adjournment public notice shall be given in the newspapers aforesaid, and when the said subscriptions in the said books shall amount to the said number, the same shall be closed: *Provided always*, That every person offering to subscribe in the said book in his own name, or in the name of any other person, shall upon subscribing, pay to the attending commissioner or commissioners, one dollar for every share to be subscribed, out of which shall be defrayed the expense attending the taking such subscription, and other incidental charges, and the remainder shall be deposited in such banks as may be most convenient to the said commissioners, for the use of the company aforesaid, as soon as the same shall be organized, and the officers chosen as hereinafter mentioned.

Meeting to organize—appoint officers.

SEC. 3. *And be it enacted*, That when five hundred shares or more of the stock in the said company shall have been subscribed, the said commissioners heretofore named, or a majority of them, shall, as soon as conveniently may be, give thirty days notice in the papers aforesaid, of the time and place by them appointed for the subscribers to meet in order to organize the said corporation, and to choose, by ballot, eight managers, who, when they shall have been organized by their electing a president, either from their own body, or the stockholders at large, shall have full power and authority to appoint a treasurer, and such other officers as shall be deemed by them necessary to conduct the business of the said company, and the same to remove, re-appoint, or their vacancies to fill at their will and pleasure.

Corporate powers granted—may extend the capital.

SEC. 4. *And be it enacted*, That all persons who shall become subscribers to the said road, their successors and assigns shall be, and are hereby made a corporation and body politic, by the name and style of the Conewingo and Wilmington Turnpike Company, and by the same name, the said subscribers and their successors and assigns, shall have succession during the continuance of this corporation, and shall have all the privileges and franchises of, or incident to a corporation, and shall be capable of taking and holding the said capital stock on the increase and profits thereof, and of enlarging the same from time to time by new subscriptions on the original terms, 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 and taking to them and their successors, in fee simple and for any lesser estate, all such lands, tenements, hereditaments and estate, real and personal, as shall be necessary to them in the prosecution of their works, provided the said real estate shall not exceed twenty acres in any one lot or parcel, and of suing or being sued, answering or being answered, and the said com-