

[No. 252.]

AN ACT

To promote the culture and manufacture of Silk, and for other purposes.

Preamble.

WHEREAS it has been satisfactorily demonstrated, that the climate and soil of this commonwealth are well adapted to the culture of the Mulberry and the production of Silk: *And whereas*, it is expedient that all proper encouragement and facilities should be afforded to those disposed to engage in the culture and manufacture of new and valuable staples: Therefore,

SECTION 1. *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 when it shall be proved to the satisfaction of the Governor, that a company of individuals has associated

When a company has associated & complied with certain conditions Gov may issue letters patent.

together for the cultivation of any species of mulberry and the production and manufacture of silk, or for the establishment of a filature or other manufactory of silk, or for the manufacture of silk machinery, or for any one or all of said objects, in any county of this commonwealth, he is hereby authorized and required to issue his letters patent, under the great seal of the state, constituting the individuals so associated, and their successors, a corporation in law, to be known by such name as the individuals so associated shall select, who shall thenceforth have power to cultivate mulberry trees and produce and manufacture silk, establish a filature or other manufactory of silk, or for the manufacture of silk machinery as aforesaid, and the proceeds thereof, to vend or dispose of; and under the said name such companies may sue and be sued, plead and be impleaded, have a common seal, perpetual succession, full power to make by-laws for the organization and management of the company and its concerns, and enjoy all the rights and be subject to all the duties and liabilities usual to corporate bodies; the granting of land which any such company may hold at any one time shall not exceed five hundred acres, nor shall the capital stock thereof exceed one hundred thousand dollars.

Privileges.
Seal.

No of acres of
not to exceed
500.

How company to be managed.

SECTION 2. Every such company incorporated as aforesaid shall be managed as the articles of association shall prescribe, which articles a majority of the stockholders may from time to time alter or amend, as they may think proper; and in order that a more general knowledge of the cultivation, pro

duction and manufacture aforesaid may be disseminated, any such company may cultivate a farm, and establish a school for the instruction of youth and others who may desire it, in the whole art and mystery of all or either of said branches of business, and may or may not connect therewith literary and scientific instruction: *Provided*, That said articles of association, before the granting of any charter, and any alterations afterwards made therein, shall receive the sanction of the judges of the court of Common Pleas of the proper county: *And provided further*, That the funds of the company authorized as aforesaid shall not be used for banking purposes.

Duties.

Proviso.

2d Proviso.

SECTION 3. The act approved the fourth day of May, eighteen hundred and thirty-two, entitled an act to promote the culture of silk, and the supplement thereto, approved the twenty-ninth of March, eighteen hundred and thirty-six, shall be and the same are hereby repealed. And the legislature reserves the right to alter, amend or repeal all or any of the charters to be granted as aforesaid, whenever the same may be deemed expedient, in such manner however as to do no injustice to the corporators.

Acts of 4th of May 1832 and the supplement of 29th March 1836 repealed.

Repeal.

SECTION 4. That from and after the first day of January next, no person shall kill in the counties of Delaware and Lancaster, any pheasant, partridge, woodcock, or rabbit between the first day of January and the twentieth day of September, in each and every year.

Limit for killing game in Delaware and Lancaster co's

SECTION 5. No person shall at any time wilfully destroy the eggs or nest of any pheasant, partridge or woodcock within the said county.

SECTION 6. No carrier, huckster, victualler or innkeeper shall have in his or her possession, or buy, or cause to be bought or carry out of the said counties for the purpose of supplying any market, any pheasant, partridge, woodcock or rabbit, unless they shall have been taken in the proper season.

Purchase &c.

SECTION 7. Any person or persons offending against any of the provisions of this act, on conviction thereof before any justice of the peace, shall forfeit and pay for every such offence a fine of five dollars, and all costs and charges; one half of the fine for the use of the informer, and the other half for the use of the directors of public schools of the township where the offence may have been committed, to be by them applied to public education.

Penalty.

SECTION 8. That from and after the passage of this act it shall not be lawful for any person or persons to entrap wild turkeys by snares or pens in the county of Perry, and any person offending against the provisions of this act shall, on conviction thereof, before any justice of the peace of the said county or counties adjoining, shall be subject to a fine of five dollars, besides all costs and charges, recovered by suit before such justice; the one half to be for the use of the informer or

Wild turkeys not to be entrapped in Perry county.

Penalty. informers who shall prosecute for the same, and the other half for the use of the county.

Act of 16th of April 1838 re-
pealed as res-
pects Susque-
hanna co

SECTION 9. That the act entitled an act to encourage the destruction of foxes and wild cats in the counties of Lebanon, Luzerne, Wayne, Pike, Monroe, Susquehanna and Tioga, approved the sixteenth day of April, Anno Domini, eighteen hundred and thirty-eight, be and the same is hereby repealed, so far as it encourages the destruction of foxes in Susquehanna county, and that so much of any act as is hereby altered or supplied, be and the same is hereby repealed.

Pike or pick-
erel in Saw Kill
brush and log
tavern ponds,
Pike co. how
may be caught

SECTION 10. That from and after the passage of this act, if any person or persons shall take or kill any pike or pickerel in Saw-Kill, Brush, and Log Tavern ponds or lakes, in Pike county, in any other way or manner whatsoever, other than by hook and line, shall, for every fish so taken or killed, be liable to a fine of five dollars, to be sued for and recovered with costs, as in actions of debt before any justice of the peace of said county, by any person or persons suing for the same: one-half of the amount so recovered to go to the benefit of the person suing; the other half to be paid over to the overseers of the poor of the township of Milford aforesaid, for the use of the poor of said township.

Penalty.

Time limited.

SECTION 11. That no pike or pickerel shall be taken or killed in said ponds between the fifteenth day of March and the fifteenth day of May, in every year hereafter, until the expiration of four years from the passage of this act, that the fish may be left undisturbed during that season of the year to breed and propagate their kind, any person or persons found taking or killing pike in said ponds or lakes, within the period above named, shall be liable to a fine of ten dollars for each and every offence, to be sued for, recovered, and distributed in the same manner as directed in the preceding section of this act.

Penalty.

Fish not to be
caught in Cas-
tleman's river
Somerset co.

SECTION 12. That from and after the first day of May next, it shall not be lawful for any person or persons to catch fish in Castleman's river, or its tributary streams, within the county of Somerset, either by placing dams across the same, to fish with still-nets, fish-baskets, fish-pots, or by liming or sledging, unless the whole course of such stream shall be private property; in which case the same may be done with the consent of the owners thereof.

Penalty.

SECTION 13. Any person offending against the provisions of this act, shall, on conviction thereof, before any justice of the peace of the said county, forfeit and pay a fine of twenty dollars for the first offence, with all costs and charges; and for the second offence fifty dollars, with like costs and charges, to be recovered by suit, in the name of the commonwealth, before such justice: the one-half to be for the use of the informer or informers, who shall prosecute for the

same, and the other half for the use of the poor of the township in which the offence was committed.

SECTION 14. That it shall not be lawful for any person or persons to catch, take, or destroy trout in the Kishacoquillas creek. in the county of Mifflin, between the fifteenth of July, in every year, and the fifteenth day of April of the following year, in any way whatever, unless where the course of such stream shall be private property; in which case, the same may be done with the consent of the owners thereof. Trout not to be caught in Kishacoquillas creek Mifflin co.

SECTION 15. Any person offending against the provisions of this act, shall, on conviction thereof, before any justice of the peace of the said county, forfeit and pay a fine of five dollars for the first offence, with all costs and charges, and for the second offence twenty dollars, with like costs and charges, to be recovered by suit, in the name of the commonwealth, before such justice: the one-half to be for the use of the informer or informers, who shall prosecute for the same, and the other half for the use of the poor of the township in which the offence is committed. Penalty.

WM. HOPKINS,

Speaker of the House of Representatives.

EB. KING-BURY, Jr.

Speaker of the Senate.

APPROVED—The thirteenth day of June, A. D., eighteen hundred and forty.

DAVID R. PORTER.

[No. 253.]

A N A C T

To incorporate a company in the borough of New Castle, to be called the New Castle Fire company, in the county of Mercer, and for other purposes.

SECTION 1. *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 William B. Miller, Daniel M'Connell, R. Wallace, G. Barlow, James Mitchell, W. M. Clymonds, J. B. Love, T. M'Cleary, Robert Cochran, William Watson, Company incorporated.