

state, and that no tolls or charges of any description, shall in any case be charged to or levied from the said company, that shall not be charged to or levied from other companies or individuals doing business on the Philadelphia and Columbia railway.

Authority to  
mortgage road.

Proviso.

SECTION 5. That in order to enable the said company to re-place the superstructure of their road, and to lay down an iron track sufficient to sustain the action of locomotive engines the directors of said company be and they are hereby authorized to mortgage the said road to any person or persons, for such sum or sums of money, and as often as they may deem necessary, together with all the appurtenances, powers, privileges, rights and immunities of the said company; so that in case of a sale being made by virtue of any proceeding on any mortgage so to be given, the purchaser or purchasers shall take, hold, possess, use and enjoy the said road and its appurtenances: *Provided however*, That no mortgage shall be executed by the directors without the consent of stockholders holding two-thirds of the stock of said company, given in person or by attorney or proxy, at a meeting of said company, called on thirty days notice, stating explicitly the object of the meeting; and that no condition or stipulation shall be inserted in said mortgage that may delay or hinder any creditor of said company from pursuing any legal remedies which he now has by law, or which will give any one of the present or subsequent creditors of said company, priority over other creditors, except such as they may now have by law; nor shall the mortgage hereby authorized give the mortgagees any preference over the present creditors of said company, or in any way effect or diminish any remedies they now have by law against said company; and that no sale on this mortgage shall be permitted for the term of ten years from the passage of this act: *Provided*, That the mortgage or mortgages herein authorized to be given by said company, shall be given under the provisions and restrictions of the joint resolution approved the twenty-first day of January, one thousand eight hundred and forty-three.

JAMES ROSS SNOWDEN,

*Speaker of the House of Representatives.*

WILLIAM BIGLER,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 306.

## AN ACT

Supplementary to the act, entitled "An Act to authorize the governor to incorporate the Milesburg and Smethport turnpike road company."

Sections.

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 from and after the passage of this act, the said road be and the same is hereby divided into separate sections, the first to be known and called

by the name of the Centre county section, and to include all that part of said road which lies in Centre county, the remainder of the road to be known and called by the name of the northern section.

SECTION 2. That the present managers and other officers of the said Managers of section turnpike road company shall, from the passage of this act, be the managers of the northern sections, and shall remain in office until the term for which they have been elected, has expired; and hereafter the managers and other officers of the northern section shall be elected at the same time, and in the same manner as provided in the act to which this is a supplement.

SECTION 3. That the stockholders of the said Milesburg and Smethport turnpike road company shall, on the second Monday of April next, and on the second Monday of April in every year thereafter, elect, in the manner provided in the act to which this is a supplement, one president and four managers, and one secretary and treasurer, of the Centre county section, the said election to be held at the house now occupied by William Loy, in Snowshoe township; the same notice to be given as is required by the act to which this is a supplement.

SECTION 4. That the tolls received shall first be applied to make the necessary repairs and pay the contingent expenses of the section on which the same are collected; and the treasurer thereof shall pay over unto the treasurer of the other section any surplus, until the tolls collected on said section are sufficient to keep the road in good order and repair.

SECTION 5. That the managers of both the sections shall hold a joint meeting at least once in every year, at which meeting a statement of the amount of tolls received and amount of moneys expended by each section, shall be exhibited, of which meeting notice shall be given in one paper printed in each of the counties through which the road passes.

JAMES ROSS SNOWDEN,  
*Speaker of the House of Representatives.*

WILLIAM BIGLER,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 307.

## AN ACT

Relative to the records of Wyoming county.

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 the present recorder of deeds of the county of Luzerne shall make, or cause to be made, full and complete copies of all deeds recorded in his office of Luzerne co. Recorder of deeds.