

No. 214.

AN ACT

To incorporate the Dry Ridge and Wills Creek turnpike road company.

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* John Sill, John Meizgar, Nicholas Kegg, Cornelos Devore, Josiah Miller, Charles Hayman, Jacob Carpenter, Edmund Shell, Samuel S. Stukey, John M'Vicker, of the county of Bedford, are hereby appointed Commissioners. commissioners, and shall, on or before the first Monday of September next, procure one or more books, and enter in each of them as follows: "We whose names are hereunto subscribed, do promise to pay to the president and managers of the Dry Ridge and Wills Creek turnpike road company, the sum of twenty-five dollars, for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the general assembly of this commonwealth, by which said company is incorporated, for the purpose of making an artificial road from the Maryland line, at or near the farm of John M. Buchanan, and thence up the valley of Wills creek, and passing round the east end of the Dry Ridge, at or near the house of Valentine Werts, to the borough of Shellsburg, in the county of Bedford. Witness our hands day of , in the year of our Lord one thousand eight hundred and ;" and shall thereupon give notice, in two or more public newspapers, printed in Bedford and Cumberland, for one calendar month at least, of the time and place, when and where the said books shall be opened to receive subscription for the stock of the said company; and some one of the said commissioners shall attend accordingly, and permit all persons of lawful age, who shall offer to subscribe in their own name, or names of any other person or persons, who shall duly authorize the same, for any number of shares in the said stock; and the said books shall be kept open for the purpose aforesaid, at least six hours in every juridical day, for the space of three days, or until fifty shares be subscribed; and if after at the expiration of the said three days, fifty shares shall not have been subscribed, the commissioners may adjourn from time to time, and transfer the said books from place to place, until the whole number of shares shall be subscribed, of which adjournments and transfers such public notice shall be given as the occasion may require; and when the whole number of shares shall amount to two hundred shares, the same shall be closed; and every person to subscribe in his own name, or names of any other person, shall previously pay to the attending commissioners the sum of one dollar for every share to be subscribed, out of which shall be defrayed the expenses attending the taking of such subscription, and such other incidental charges, and the remainder shall be paid over to the treasurer of the corporation, as soon as the same shall be organized, and the officers chosen as hereinafter mentioned. Form of subscription. Open books.

SECTION 2. When ten or more persons shall have subscribed fifty or more shares, and the said commissioners, or a majority of them, shall

Governor to grant letters patent.	have certified, under their hand and seal to the governor, the names of the subscribers, and the number of shares subscribed by each, it may be lawful for the governor, by letters patent, under his hand and seal of the state, to create and erect the subscribers, and also all those who may afterwards subscribe, 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 Dry Ridge and Wills Creek turnpike road, and by the said name the subscribers shall have perpetual succession and the privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same, from time to time, by new subscriptions, 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, taking and holding to them and their successors and assigns, and of selling, transferring and conveying, in fee simple, such real and personal estates as shall be necessary to them in the prosecution of their work, and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.
Style.	
Privileges.	
Organization.	SECTION 3. The stockholders, or any two of them, named in the letters patent, shall as soon as conveniently may be after issuing of the same, give notice in two or more of the newspapers published in the county of Bedford, of a time and place by them appointed, not less than twenty days from the time of the first notice, at which time and place the said subscribers, or as many of them as may be then present, shall then proceed to organize the said company, and shall choose by a majority of the said subscribers, by ballot, in person, one president, six managers, one treasurer, and such other officers as may be necessary to conduct the business of said company for one year, and from thence until the next annual election, and until such other officers shall be chosen and organized, agreeably to the provisions of this act; and the said managers so chosen, and their successors, shall and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this state or of the United States, as shall be necessary for the well ordering the affairs of the said company; and shall have power to lay out and construct and complete a turnpike road from the Maryland line, at or near the farm of John M. Buchanan, and thence up the valley of Wills creek and passing round the east end of the Dry Ridge, at or near the house of Valentine Werts, to the borough of Shellsburg, in the county of Bedford, and generally to have like powers, authorities and privileges, necessary for carrying on and completing said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fine and forfeitures, and be entitled to like tolls and profits, in proportion to the distance finished, as are given and granted to the Bedford and Stoystown turnpike road company, by the several acts of this commonwealth: <i>Provided</i> , That if the said company shall not proceed to carry on the said work in three years after the passage of this act, or shall not, within five years afterwards, complete the road according to the true intent and meaning of this act, in either of those cases it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, privileges, liberties and franchises, by this act granted to said company: <i>And provided further</i> , That nothing contained in this act shall be so construed as to authorize the said company to take private property without making compensation to the owners thereof, or giving adequate security therefor, before such property shall be used.
Elect officers.	
Location.	
Powers, authorities and restrictions.	
Proviso.	
Proviso.	

SECTION 4. The said road shall be laid out, not exceeding forty feet in width, at least sixteen feet whereof to be a good and substantial turnpike road, to be composed of stone and gravel, to secure a firm, and as near as the materials will admit of, an even surface, and in no place to exceed an elevation of five degrees; and the said company shall forever maintain and keep the same in good order, and have authority to erect suitable bridges over all the streams of water crossing said road. Construction.

SECTION 5. That the legislature hereby reserve the right to alter, amend or annul this act, whenever in their opinion it may become necessary for the public good: *Provided*, No injustice shall be done to the corporators. Reservation.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 215.

AN ACT

To authorize the Mine Hill and Schuylkill Haven railroad company to extend their railroad into the Middle coal field.

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 Mine Hill and Schuylkill Haven railroad company be and are hereby authorized to extend their road from at or near its present termination in the Mine Hill Gap, in the county of Schuylkill, by such route as they may deem most eligible, to the town of Shamokin, in the county of Northumberland; and the said company are hereby authorized to charge the same rate of toll per mile for the transportation of coal and other articles, and for the carriage of passengers, and to make the same charge for motive power and weighing on the said extension, or any part thereof, when the same may be completed and used, as they are now authorized to charge on their present road, and subject to all the provisions and restrictions to which the said company are now subject and liable by law; and the said company are hereby authorized to increase their capital stock, to an amount not exceeding fifteen thousand shares, in addition to their present capital: *Provided*, That this act shall not go into effect unless said company shall assent thereto, and certify the same to the governor within six months from the passage thereof: *And provided further*, That if after such assent, certified as aforesaid, the said company shall not commence the said extension of their road in one year, and complete the same within four years after

Extend road.
Toll.
Increase capital.
Proviso.
Proviso.