

No. 271.

AN ACT

Authorizing the canal commissioners to purchase the water power at Loyalsock creek, on the West Branch division of the Pennsylvania canal; and to incorporate a company to construct a plank road.

Canal commissioners authorized to purchase certain water power.

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 canal commissioners be and they are hereby authorized, if they should deem it necessary to protect the public interests, to purchase on behalf and in the name of the commonwealth, the entire water power, with the appurtenances, created by the state dam at Loyalsock creek, and now owned by Samuel Caldwell, on the West Branch division of the Pennsylvania canal; and if such purchase cannot be made on terms which in the opinion of the canal commissioners are fair and reasonable, then and in that case it shall be the duty of the said commissioners to cause the head gates opening from the canal into the head race of the mills at Loyalsock creek aforesaid, to be so altered as to prevent any water from being drawn from the canal when the same is necessary for navigation; whereupon it shall moreover be the duty of the canal commissioners to assess the damages thereby occasioned, and in either case report the amount due to the legislature.

Commissioners.

Style.

Location.

Subject to provisions of certain act.

Capital stock.

SECTION 2. That Daniel Bailey, Henry Sidle, Abraham Mumper, John Mumper, George L. Shearer, Robert Bryson, Jacob B. Wentz, Jacob S. Haldeman, Benjamin H. Musser, Owen James, Thomas C. Hambley, Jacob Conner, Jacob Cockley, James Williams, senior, Hyman Longanecker and Christian Eberly, be and they are hereby appointed commissioners to prepare a book and receive subscriptions to the capital stock of a company to be called the Dillsburg and New Market plank road company, with power to construct a plank road from the mouth of the Yellow Breeches creek, in York county, by the best and most desirable route to Dillsburg, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, passed the twenty sixth day of January, one thousand eight hundred and forty-nine; the capital stock of said company shall consist of five thousand shares at ten dollars each; and the president and directors may permit any party subscribing for stock to contribute in labor or materials, or in grants of right of way, in payment for said stock, upon such terms as said president and directors may agree upon, and provided said labor and materials be needed in the construction of said work; if said company shall not commence the construction of said road within two years and complete the same within five years, this act shall be void, except so far as necessary to close up the affairs of said company.

J. S. M'CALMONT.

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The sixth day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.