

act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with this and the following sections, excepting that portion of the thirteenth section of said act, relating to tolls, which discriminates in favor of wheels of the breadth of four inches and upwards; and the company hereby incorporated shall have power to regulate their tolls within the limits in said thirteenth section, without reference to the width of wheels in any case.

SECTION 3. That the capital stock of said company shall consist of three thousand shares, of twenty-five dollars per share: *Provided*, Capital stock. That said company may from time to time, at a meeting of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be required to complete the same, according to the true intent and meaning of this act.

SECTION 4. That if the said company shall not commence the construction of said road within five years from the passage of this act, and complete the same within ten years thereafter, this act shall become null and void, except so far as to wind up the affairs of said company, and pay the debts of the same. Commencement and completion of road.

SECTION 5. That the canal commissioners are hereby authorized and required to examine the claim of Barbara Trucks and sons, of Armstrong county, for damages sustained by the public works, at dam number two, on the Kiskiminetas river, and make report of the facts thereof to the next legislature. Canal commissioners authorized to examine claim of B. Trucks and sons.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 352.

AN ACT

To authorize an examination of the claims of George Hogg, a canal contractor; and relative to Nanticoke and Hughesville 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 the canal commissioners are hereby authorized and required to examine the claims of George Hogg, surviving partner of Forsyth, Moorhead and Hogg, in contracts for aqueduct number two; on the Erie extension of the Pennsylvania canal; and also in sub-contract on section number fourteen, on the Philadelphia and Columbia railroad; and if it shall Canal commissioners to examine claim of Geo. Hogg.

appear that injustice has been done in making incorrect estimates, or in the condemnation of timber and stone taken out for said contracts, and that damages have been sustained in the premises by reason of the same or otherwise, for which the commonwealth should be reasonably bound to make a compensation, then the said commissioners shall assess such amount of damages in favor of the said George Hogg, as he shall be justly entitled to, and report the same to the legislature, together with a statement of the facts upon which their award may be predicated.

Annual election of stockholders of Nanticoke and Hughsville turnpike road company.

SECTION 2. That the stockholders of the company incorporated to make a turnpike road from Nanticoke dam, in Luzerne county, to Hughsville, in Lycoming county, under an act, entitled "An Act to authorize the governor to make a turnpike road from the Nanticoke dam, in Luzerne county, to Hughsville, in Lycoming county, and for other purposes," approved the first day of April, A. D., one thousand eight hundred and thirty-six, be and they are hereby authorized to hold their annual election on the third Friday in May in each and every year, for the purpose of electing the several officers of said company; and the next election shall be held at the house of John Koons, in New Columbus, Luzerne county, between the hours of ten, A. M., and three, P. M., of said day, of which at least two weeks' notice shall be given in one newspaper published in Wilkesbarre, and one in Lycoming county; that the managers of said company who shall be hereafter elected, are authorized to alter the route of said road at such intermediate points as they may deem necessary, for the more direct, convenient and proper construction of the road; and also to sell or lease for a term or terms of years, any part or parts of said road, in order to secure the completion of the same; and the purchaser or purchasers, lessee or lessees of the same, shall have all the rights and liberties, and be liable to all the restrictions of the said company over the same, with all the privileges and conditions stipulated in his or their contract with the company; and as soon as said company shall have completed, or caused to be completed any four or more miles of said road, they or those holding under them, may have the same inspected, and charge toll for all travel for any distance on the same, and all laws inconsistent herewith are hereby repealed.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

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

WM. F. JOHNSTON.