

No. 360.

A N A C T

To incorporate a company to build a plank road from Titusville, in Crawford county, to Warren, in Warren county; and relative to mechanics' liens, and school districts in Carbon county; to the borough of Milton, in Northumberland county; to the elections in Franconia township; and the borough of Norristown; and to tax collectors in Montgomery county; and to the courts of Bucks 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* Warner Perry, Selden Spencer, O. Carpenter, William Duncan, E. Brewer, William Robinson, James R. Kerr, John Robinson, E. B. Lee, E. Hyde, John Waid, E. H. Chase, John M. Titus, S. S. Bates and such others as may hereafter become associated with them, are hereby declared to be a body corporate in deed and in law, by the name, style and title of "The Titusville and Enterprize plank road company," and by that name have perpetual succession, and all the privileges and franchises of a corporation; and capable of holding their capital stock, and enlarging the same in such manner as they may think proper, and of buying and holding such real and personal estate as may be necessary to construct said plank road, and of suing and being sued, and all other matters and things which a corporation may lawfully do. Commissioners.
Style.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars each share: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road, and to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That the said company shall have the power to construct a plank road from Titusville, in Crawford county, to Warren, in Warren county, by such route as shall be deemed best and most practicable, and shall have power to lay the track of the same upon any public or private road that shall be deemed necessary; and the directors shall have the same power as road commissioners in Crawford county, and be governed by the same regulations and laws in regard to closing or altering any road superseded by the same, and shall be subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, excepting so much as is altered by this act; and excepting that portion of the thirteenth section of said act relating to tolls, which discriminates in favor of wheels of greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by said thirteenth section, without reference to the width of the wheels in any case. Location.

SECTION 4. That when the company hereby incorporated shall have finished two miles or more of road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of the said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine. Notice to be given the governor when two miles are finished

May extend road. SECTION 5. That the said company shall have power to extend the said road so as to connect with the Meadville, Allegheny and Brokenstraw plank road, at any point on the said road that the directors may deem proper, or extend the same in the direction of Meadville, Crawford county, on any other route that the directors of said company may locate, and to the Allegheny river, at Tidioute, and if necessary along the said river to Warren; and shall have the right to make use of any part of the road formerly occupied or located by the Warren and Franklin turnpike company, and locate upon the same ground: *Provided*, That such parts of said road is not occupied prior to January first, one thousand eight hundred and fifty two, by the company incorporated by an act, entitled "An Act to incorporate a company to build a turnpike or plank road from Warren, in Warren county, to Franklin, in Venango county," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Executive board. SECTION 6. That whenever two hundred shares shall be subscribed, of twenty-five dollars each share, any three stockholders may call a meeting by putting up written or printed notices in at least six of the most public places along said contemplated road, for the election of one person as president, one person as superintendent, and three persons as directors, who, together shall form an executive board, and one person as treasurer, and shall hold their offices for the term of one year, and until their successors are elected.

Repeal. SECTION 7. That so much of the act, entitled "An Act authorizing the governor to incorporate the Meadville, Allegheny and Brokenstraw plank road company," approved the twenty-fourth day of March, one thousand eight hundred and forty-nine, as relates to the lateral branch to Tidioute, is hereby repealed; and the stock subscribed specifically for said lateral branch may be transferred to the company hereby incorporated, at the option of the subscribers.

Commencement and completion of road. SECTION 8. That if said company shall not commence the construction of their road within three years after the granting of this charter, and complete the same within ten years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

Provisions of certain act relative to mechanics' liens extended to Carbon county. SECTION 9. That from and after the passage of this act, the act, entitled "An Act relating to the lien of mechanics and others upon buildings," passed the sixteenth day of June, one thousand eight hundred and thirty-six, shall be and the same is hereby extended and declared to be in full force and operation in the county of Carbon; and mechanics and others in said county, shall have like remedy under the said act as though it was herein enacted and recited at full length.

Certain act including lot of Martha M. Davison, within the borough of Milton, repealed. SECTION 10. That the act, entitled "An Act to include within the borough of Milton, Northumberland county, a certain lot of ground belonging to Martha M. Davison," approved the nineteenth day of April, one thousand eight hundred and forty-three, be and the same is hereby repealed.

Borough and township of Mauch Chunk to continue a school district. Franconia township, Montgomery county, place of holding elections in. SECTION 11. That the sixteenth section of an act, entitled "An Act relative to election districts," passed the nineteenth day of February, A. D., one thousand eight hundred and fifty, shall not be so construed as to make the borough of Mauch Chunk a separate school district, but the borough and township of Mauch Chunk shall be and remain in all respects one school district, as if said act had not been passed.

SECTION 12. That hereafter the qualified voters of Franconia township, in the county of Montgomery, shall hold their general and township elections at the public house of Tobias Gearhart, in said township.

SECTION 13. That hereafter the election held on the third Friday of Norristown, March, in the borough of Norristown, Montgomery county, for borough and township officers, the polls shall be opened between eleven county, time of opening the polls and twelve in the forenoon, and close at eight o'clock in the evening. in.

SECTION 14. That the ninth section of an act, entitled "An Act to incorporate a female seminary in Landisburg, Perry county, and for other purposes," approved the twelfth day of June, one thousand eight hundred and forty, relating to the tax collectors in the county of Montgomery, be and the same is hereby restored in full force and effect; and that all other acts inconsistent herewith be and the same are hereby repealed. Tax collector in Montgomery county, relative to.

SECTION 15. That hereafter the several courts of Bucks county shall commence on the first Monday in December, instead of the first Monday in November as heretofore, and that the several terms of the court of quarter sessions of said county shall continue during the same time as the courts of common pleas. Courts in Bucks county, time of holding.

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. 361.

AN ACT

To authorize the governor to incorporate the Wissahickon 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 J. M'Crea, M. D. Charles, Thomson Jones, Joshua Comly, Joseph Middleton, John Cook, Thomas Livezy, William Ely, Nicholas Ritzenhouse, junior, Samuel V. Rex, Jacob Sheetz, Benjamin Baker, William D. Kelly, John Rex, Owen Sheridan, George W. Carpenter, William Miller, Charles Megargee, J. K. Mitchell, M. D., Peter Wright, James F. Nicholas, Nathan L. Jones, Alfred Crease, Augustus L. Rounsfort, Francis W. Weist and George Shetsline be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Wissahickon turnpike road company," with power to construct a turnpike road, commencing at the Ridge turnpike, in the county Philadelphia, at or near Robeson's mill, and extending along the Wissahickon creek, and if necessary, across the several county bridges, which shall be kept in repair by the said company, to the line road between Philadelphia and Montgomery counties; thence along the said road to the Chestnut Commissioners.