

and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

SECTION 6. That in all cases where any trust or security for the general benefit of creditors of any person indebted to the commonwealth, or for the specific benefit of the commonwealth, in respect to any debt or accountability of any such person, shall have been or shall be in good faith created, it shall be lawful for the state treasurer, with the approbation of the auditor general, at their discretion, to suspend proceedings by execution for the collection of such debt or accountability, while such trust is in the due course and progress of fulfilment, and when the commonwealth shall have any lien upon property real or personal, for any such debt or accountability, to release any such estate real or personal that may from time to time be sold in the due execution of such trust, upon payment of the entire net proceeds, if such sale or sales to the commonwealth on account of such debt or accountability, or upon due application of the same, in or towards the payment of any admitted prior incumbrances thereon: *Provided*, That at least fifteen days' notice of such sale shall be given to the auditor general or state treasurer by the said trustee or trustees.

In cases of trust for benefit of creditors, by persons indebted to commonwealth, state treasurer may suspend proceedings by execution. May release real estate upon payment of net proceeds of said estate to commonwealth on account of debt.

Speaker of the House of Representatives.

Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 403.

A N A C T

For the relief of Barbara Patrick, widow of Robert Patrick, a soldier of the Revolutionary war; and to incorporate the Conemaugh and Indiana plank road company, and for other purposes.

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 state treasurer be and he is hereby authorized and required to pay to Barbara Patrick, Barbara Patrick, of Armstrong county, widow of Robert Patrick, a annuity to. soldier of the Revolutionary war, or to her order, an annuity of forty dollars during her natural life, to be paid half-yearly, commencing on the first day of January, one thousand eight hundred and fifty.

SECTION 2. That Edward Nixon, James Todd, Augustus Drum, John H. Shryock, William M. Stewart, James Clark, esquire, John Commissioners. Graff, John Sutton, Thomas Adams, Robert Craig, Thomas Campbell, David Cummins and William Moorhead, or any five of them, be and

they are hereby appointed commissioners to open the books, receive subscriptions and organize a company, by the name, style and title of "The Conemaugh and Indiana plank road company," to locate and construct a plank road from the borough of Indiana, in the county of Indiana, to the nearest and most practicable point on the Conemaugh river, adjacent to the Pennsylvania railroad, 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, and the supplements thereto, so far as the same are not inconsistent with this and the following sections.

Capital stock. SECTION 3. That the capital stock of the said company shall consist of one thousand shares, of twenty-five dollars per share: *Provided*, 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.

Commencement and completion of road. 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 so far as it relates to said road, shall become null and void, except so far as to wind up the affairs of said company and pay the debts of the same.

Canal commissioners to examine claim of Geo. W. McKellip. SECTION 5. That the canal commissioners are hereby authorized to examine the claim of George W. McKellip, of Armstrong county, for damages sustained by dam number two, on the Kiskiminietas river, on the Western division of the Pennsylvania canal, and report the amount of damages sustained by him, if any, to the next legislature.

Buck Mountain coal company to pay no more than one per cent. on amount of stock paid in, to be paid on additional stock. SECTION 6. The further proviso in the second section of the act authorizing the administrators of Joseph W. Guernsey, deceased, to sell certain real estate, and relating to the Buck Mountain coal company, approved February twelfth, one thousand eight hundred and fifty, shall not be so construed as to require the said company to pay to the state treasurer more than one per cent. on the present amount of the capital stock of the said company paid in; and that if the capital stock shall at any time be increased, then and in that case the said company shall pay to the state treasurer one per cent. on the additional capital stock so paid in.

Jackson Blues and Mahantongo Infantry made a separate battalion SECTION 7. That hereafter the Jackson Blues, of Lower Mahantongo township, and the Mahantongo Infantry, of Upper Mahantongo township, both in Schuylkill county, be and the same are hereby formed into a separate battalion, to be attached to the first brigade, sixth division, Pennsylvania militia.

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

V. BEST,
Speaker of the Senate.

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

WM. F. JOHNSTON.