

Route. /
 Subject to provisions of certain act.
 Proviso.
 Use and occupation of public road.
 Capital stock.
 Proviso.

cing at some convenient point in the township of Upper Saucon, in the county of Lehigh, in the road leading from Allentown in said county, to the city of Philadelphia, south of the Lehigh or South mountain, and north of the dwelling house of Charles Wittman, and extending thence by the best and most practicable route over said mountain, to some convenient point on the aforesaid road north of the said Lehigh or South mountain, and south of the tavern of John Apple, in the township of Salisbury, county of Lehigh aforesaid, subject to all the provisions and restrictions, and with all the powers and privileges contained in an act regulating turnpike and plank road companies, approved the twenty-sixth of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto: *Provided*, That said company may extend said road to the stone bridge over the Little Lehigh river, which connects said township of Saltzbury with said borough of Allentown, if said company shall deem it expedient so to do.

SECTION 2. That it shall be lawful for said company to use and occupy any portion of the aforesaid public road leading from Allentown to the city of Philadelphia, or of any other roads on the route of said proposed turnpike, and locate their road upon the ground occupied by said road or roads, and the court of quarter sessions shall have power to appoint viewers to view and vacate such parts of any roads as shall be used or rendered useless by the said company, as is provided by the general road laws of this Commonwealth in the cases of roads which have become vacant.

SECTION 3. That the capital stock of said company shall consist of one thousand shares, at ten dollars per share: *Provided*, That the said company may, from time to time by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 168.

AN ACT

To incorporate the Summit Plank Road Company.

Commissioners.
 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 Nathan Patterson, Stephen Jones, Ira Cortright, John S. Boyer,

John Leisenring, John Anderson, Robert Ratcliffe, Rowland Jones, Francis F. Kolb, Abraham Harris, Richard Sharp, John Winderslein, James McClain and Michael Beard, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company by the name, style and title of The Summit Plank road company, with power to construct a plank road from the borough of Tamaqua, in Schuylkill county, to the village of Summit Hill, in Carbon county, on the bed of the present public road or otherwise, by the best and most feasible route, as the said company may direct, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, as far as they are not inconsistent with this and the following sections: *Provided*, That this act shall not be so construed as to authorize the said company to construct a turnpike road.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares at twenty-five dollars per 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 necessary to complete the road or roads, and to carry out the true intent and meaning of this act.

Capital stock.

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SECTION 3. That if the said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within ten years after the same shall have been commenced, 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 the said company.

Commencement and completion of road.

SECTION 4. That whenever said company shall have completed two miles of said road, they shall have power to erect toll-gates and receive the same tolls per mile, that are allowed by the ninth section of an act approved the eighth day of April, Anno Domini, one thousand eight hundred and fifty-one, entitled "An act regulating and fixing the rate of toll to be charged by the Lary's Creek Plank road company."

Tolls.

SECTION 5. That it shall be lawful for the board of managers of said company to fill all vacancies occurring in said board by death, resignation or otherwise, until the next succeeding election.

Vacancies.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The twenty-third day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.