

court, to direct a bill of indictment, to be sent to the grand jury, and upon prosecution to conviction, the said Lewis Reese, Thomas Mills, their, and each of their heirs and assigns, shall be liable to pay a fine not exceeding five hundred dollars, at the discretion of the court, who, shall order so much of the said dam to be abated, as shall bring the same within the limitations and provisions of this act, at the cost of the person or persons so convicted.

Approved March 17, 1806. Recorded in L. B. No. 10, p. 303.

CHAPTER MMDCLXXIX.

AN ACT TO AUTHORIZE THE PRESIDENT, MANAGERS AND COMPANY OF THE SUSQUEHANNA AND LEHIGH TURNPIKE ROAD, TO EXTEND THE SAME, AND ALSO TO CONSTRUCT A BRANCH THEREFROM.

Whereas in pursuance of an act of the general assembly, passed the nineteenth day of March, one thousand eight hundred and four,⁽¹⁾ a company has been duly incorporated, for the purpose of making a turnpike road, from the Northeastern Branch of the Susquehanna river, between the Lower Whopehawy and Nescopeck creeks, in Luzerne county, to the north side of Nesquehoning creek, near its entrance into the river Lehigh; and it has been represented on behalf of the said company, and appears to the legislature, that it would be advantageous to the public, to extend the said road, and also to construct a branch therefrom: Therefore,

Section I. (Section I, P. L.) 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 president, managers and company, of the Susquehanna and Lehigh turnpike road, be, and they hereby are authorized and empowered to lay out and construct a branch road from such point, as shall be judged most proper on their present route to any part of the river Susquehanna, within three miles above the mouth of

Whopehawly, or above where the said branch road shall cross the said creek; and also to extend their main road from its present termination, near the mouth of Nesquehoning, through the narrows to the Lehigh, at or near Weiss's ferry, in Northampton county.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That for the purpose of enabling the said president, managers and company of the Susquehanna and Lehigh turnpike road, to construct the said branch and extend the said road, they are hereby empowered to receive subscriptions for any number of new shares, not exceeding fifty for the said branch, and not exceeding sixty for the said extension; which subscriptions shall be made in shares of the same amount, and in all respects except as to their application, be subject to the same terms, conditions and penalties, as those which have been or hereafter may be subscribed to the main original road: Provided nevertheless, that the accounts of the subscriptions to and expenditure on and tolls received from the said branch and extension, shall at all times be kept separate from those of the main original road, and also from each other, unless the several stockholders shall at a joint and general meeting, otherwise agree, determine and direct.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said president, managers and company, of the Susquehanna and Lehigh turnpike road, be, and they are hereby fully invested with all the powers and authorities, and subjected to all the duties, limitations and restrictions, with respect to the said branch road, and the said extended road, as they are by law or under the charter granted them in pursuance thereof, invested with or subjected to, with respect to the said main original road; excepting only so far as to the course or route thereof, or such other matter or thing as may be in like manner inapplicable thereto.

Approved March 17, 1806. Recorded in L. B. No. 10, p. 304.

Note (*) Chapter 2475; 17 Statutes at Large, p. 745.