

shall be actually subscribed, and five dollars on each share paid to said commissioners, and a certificate thereon shall have been made, under oath or affirmation, to the Governor, he shall, by letters patent, under his hand and seal of the commonwealth, create and erect the subscribers into a body corporate and politic, in deed and in law, by the name and style of the "Southwark rail-road company;" who are hereby authorised to construct a rail-road, of one or more tracks, from the river Delaware, in the district of Southwark, and thence through the county of Philadelphia to Broad and Cedar-streets, in such direction as they shall deem best to connect with the termination of the city rail-road: *Provided*, That said company shall be, and are hereby empowered, to construct a rail-road from Broad-street, in the county of Philadelphia, to the river Schuylkill.

When 1000 shares are taken and \$5 paid on each, charter to issue.

Style. Location.

Proviso.

SECT. 23. *And be it further enacted by the authority aforesaid*, That the president or secretary of the said companies, shall, annually on the first Monday, in December, transmit to the Auditor General, a full statement of the affairs, under oath, of the said companies; and shall pay annually into the treasury of the commonwealth, a tax of eight per centum, on all dividends which may exceed six per centum on the capital stock actually paid in.

Annual statement to Auditor General.

Tax on dividends.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 174.

AN ACT

To incorporate the Swatara and Good Spring creek rail-road company.

SECT. 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 G. M. Eldridge, and Isaac Starr, of the city of Philadelphia; Isaac Eckert, of Berks county; Christian Ley, of Lebanon county; Marcus Cauffman, and Simon Ulman, of Pinegrove, in the county of Schuylkill, or any two of them,

Commissioners to open books, &c.

Form of sub-  
scription.

\$50 per share.

be and they are hereby appointed commissioners, to do and perform the several things hereinafter mentioned. that is to say: they shall on or before the first Monday of May next, procure three books, one of which shall be opened at the Coffee House, in the city of Philadelphia; one at the house of Thomas Kepple, in Reading, Berks county; and one at the house of Henry W. Conrad, in Pinegrove, Schuylkill county; in each of which they shall enter as follows: "We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Swatara and Good Spring creek rail-road company, the sum of fifty dollars for every share of stock, set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An act to incorporate the Swatara and Good Spring creek rail-road company:" Witness our hands the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_;" and shall thereupon give notice in one paper printed in the counties of Berks and Schuylkill, and in the city of Philadelphia, two weeks at least of the times and places, when and where the said books shall be kept open, and receive subscriptions for the stock of the said company; at which respective times and places, one or more of the commissioners shall attend, and permit all persons of lawful age, who shall offer to subscribe in the said books, in their own names or in the name of any other person, who shall authorise the same for shares in the said stock; and the said books shall be kept open respectively for the said purpose, at least six hours in every juridical day, for the space of six days, or until there shall have been subscribed, three hundred and sixty shares, and if at the expiration of six days the books aforesaid, shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the book or books elsewhere, until the whole number of three hundred and sixty shares shall be subscribed, of which adjournment and transfer, the commissioners aforesaid, shall give such public notice as the occasion may require; and when the whole number of shares shall be subscribed, then the books shall be closed: *Provided*, That no person be permitted to subscribe for more than five shares on the first day, and not more than five shares on the second day; after which any person may subscribe for any number of shares, until the whole of the stock be taken.

Whole No.  
360 shares.

Proviso.  
No. limited  
1st and 2d  
days.

When 150  
shares are  
taken and \$5  
paid on each  
share, sub-  
scribers to be  
incorporated.

SECT. 2. *And be it further enacted by the authority aforesaid*, That when one hundred and fifty shares, or more of the said stock shall be subscribed, and the sum of five dollars paid on each and every share, the commissioners or a majority of them, may certify to the Governor, under their hands and seals, the

names of the subscribers, and the number of shares subscribed by each, whereupon the governor shall by letters patent, under his hand and seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number of shares as aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of <sup>Style.</sup> the Swatara and Good Spring creek rail-road company, and by the same name the subscribers shall have perpetual succession, and be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements and hereditaments, goods, chattels, and all estate, real, personal or mixed, of what kind or quality soever, and the same from time to time, to sell, mortgage, grant, alien or dispose of, and to make dividends of such portions of the profits, as they may deem proper, and also to make <sup>Privileges and liabilities</sup> and have a common seal, and the same to alter or renew at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient, for the government of the said corporation, not being contrary to the constitution and laws of the United States, or of this commonwealth; and generally to do all and singular, the matters and things, which to them it shall lawfully appertain to do, for the well being of the said corporation, and the due management and ordering the affairs of the same: *Provided*, That nothing herein contained, shall be considered as in any way giving to the said corporation, any mining, trading, transporting or banking <sup>Proviso.</sup> privileges whatsoever, or any other liberties, privileges or franchises, but such as may be necessary or incident, to the making of the said rail-road: *Provided further*, That the said company shall at no time hold or possess any coal land, for the purpose of carrying on the coal trade. <sup>Do barred from certain privileges.</sup>

**SECT. 3.** *And be it further enacted by the authority aforesaid*, That the president, managers and company, of the said rail-road company, shall have power to survey, lay down, ascertain, mark and fix, such route as they shall deem expedient, for a single or double track rail-road, from the northern end of the Union canal company's rail-road, up the Swatara river, to its junction with the Good Spring creek, and thence up the said Good Spring creek, to a point most suitable in the heart of the coal region, in the county of Schuylkill, having due regard to the situation and nature of the ground, and of the buildings thereon, the public convenience, and the interest or the stockholders, and so as to do the least damage to private property; and the said road shall not be more than sixty feet wide, and shall not pass through any burying ground, nor place of public worship, nor any dwelling house, without the consent of the owner thereof, nor shall it pass <sup>Location of rail-road.</sup>

through any out building of the value of three hundred dollars, without such consent: *Provided*, That the said rail-road shall be made single or double, so as to accommodate the trade ascending, as well as descending the same.

*SECT. 4. And be it further enacted by the authority aforesaid,* That the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth sections, of "An act to incorporate the Lorberry creek rail-road company," be and they are hereby re-enacted, as applicable to and binding upon the company hereby incorporated.

*SECT. 5. And be it further enacted by the authority aforesaid,* That the president or secretary of the said company, shall annually on the first Monday of December, transmit to the Auditor General, a full statement under oath of the said company, and that the said company shall pay to the commonwealth, a tax of eight per centum on all dividends, which may exceed six per centum on the capital stock actually paid.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The second day of April, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

---

No. 175.

AN ACT

To incorporate the Roush creek rail-road company.

*SECT. 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 Bunker and Jacob Mayland, of the city of Philadelphia, Daniel D. B. Keim and Peter Eckert, of Berks county, Samuel Hain and William Graeff, of the county of Schuylkill, or any two of them, be, and they are hereby appointed commissioners, to do and perform the several things hereinafter mentioned, that is to say: they shall, on or before the first Monday of May next, procure three books, one of which shall be opened at the coffee house, in the city of Philadelphia, one at the house of Thomas Kep-

Commissioners appointed to open books.