

May increase purpose, to increase the number of shares, so that the capi-
 capital stock, tal of said company shall not exceed one hundred and
 not to exceed fifty thousand dollars, and to receive and demand the monies
 \$150,000. for shares so subscribed, in like manner, and under like

penalties, as are hereinbefore provided for the original sub-
 scription, or as shall be provided for by their by-laws.

Legislature
 may resume
 the privileges
 granted.

SECTION 26. If said company shall at any time misuse
 or abuse any of the privileges hereby granted, the legislature
 may resume all and singular, the rights and privileges hereby
 granted to said company; the legislature also reserves the
 right to purchase the right of said company and the rail-
 road, with its appurtenances, at any time after thirty years
 from the passage of this act, by paying to said company a
 sum of money which, together with the tolls received, shall
 equal the costs and expenses of said railroad, with an interest
 of eight per centum per annum thereon.

May pur-
 chase the
 right of the
 company af-
 ter 30 years.

NER MIDDLESWARTH,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The first day of April, A. D. eighteen hund-
 red and thirty-six.

JOS: RITNER.

No. 148.

An Act

Authorizing the Governor to incorporate the Catawissa and Towanda
 Railroad 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 William M. Kelvey, John Barton,*
 Commiss'rs. David Petriken, Peter Baldy, Joseph Paxon, Ezra Hayhurst,
 Stephen Baldy, Iram Derr, James C. Sproul, John Fruit,

Caleb Thomas, Isaac Kline, John Crawford, junior, Andrew Ikler, Daniel Gross, Daniel Snyder, John Koons, John R. Dean, Jarius Harrison, G. M. Hollenback, Ralph Peters, Thomas Patterson, Chester Butler, Elisha S. Goodrich, Robert M. Curdy, William S. Evans, Clements C. Rickert, E. G. Ricket, E. R. Utter, Morris Spalding, Eliphalet Mason, Russel Fowler, Matthew M. Dowell, John Robbins, George Tracy, Hiram Mix, and E. W. Bard, be and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say: they, or any three of them, shall procure a sufficient number of suitable books, and in each of them enter as follows, viz: "We and each of us whose names are hereunto subscribed, do promise to pay to the directors of the Catawissa and Towanda railroad company, the sum of fifty dollars for every share of stock set opposite to our respective names, and by us respectively subscribed, in such manner and proportions, and at such times and places as shall be determined and directed by the said directors, in pursuance of an act entitled 'An act authorizing the Governor to incorporate the Catawissa and Towanda railroad company;' Witness our hands, the day of _____, Anno Domini one thousand eight hundred and thirty-_____;" and shall thereupon give at least twenty days previous public notice, in two of the daily papers printed in the city of Philadelphia, and in one paper printed in each of the counties of Columbia, Luzerne and Bradford, of the times when and the places where some one or more of the aforesaid commissioners will attend, and receive to subscribe in said books, which shall be kept open for the purpose aforesaid, at least six hours in every juridical day, for the space of three days, or until there shall be subscribed in the said books sixteen thousand shares; and if at the expiration of three days, the books aforesaid shall not have the number of shares aforesaid therein subscribed, then the said commissioners, at their discretion, may adjourn from time to time, and transfer the books elsewhere, until the whole number of shares aforesaid shall be subscribed, of which adjournment and transfer, the commissioners aforesaid shall give such public notice as the occasion may seem to require, but no subscriptions shall be valid, unless the persons so subscribing shall pay to the said commissioners at the time of making the same, the sum of five dollars on each share, for the use of the company.

SECTION 2. When two thousand shares or more shall be actually subscribed, and five dollars on each share paid to said commissioners, the said commissioners, or a majority of them, shall certify the same, under oath or affirmation, to the Governor of this commonwealth, and on the receipt of such certificate, the Governor shall, by letters patent, under

Form of sub-
scription.

Shares \$50
each.

Notice.

Who may
subscribe.

16,000 shares

\$5 to be paid
on each share

When char-
ter may
issue.

- his hand and the seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then those also who shall thereafter subscribe to the whole number of shares aforesaid, into a body corporate and politic, in deed and in law, by the name, style and title of
- Style & title, "The Catawissa and Towanda railroad company;" and by the same name the subscribers shall have perpetual succe-
- Privileges & liabilities. sion, and all the privileges, franchises and immunities incident to a corporation, may sue and be sued, implead and be impleaded, in all courts of record and elsewhere, may purchase, receive, have, hold and enjoy, to them, their successors and assigns, lands, tenements and hereditaments, goods, chattles, and all estates, real, personal or mixed, of what kind or quality soever, and the same from time to time may sell, mortgage, grant, alien and dispose of, and make dividends of such portions of the profits as they may deem proper, and also may make and have a common seal, and the same alter or renew at pleasure, 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 of the affairs and business of the same: *Provided*, That nothing herein contained shall be so considered and construed as giving to the said corporation any banking privileges, or any other liberties, privileges or franchises, but such as may be necessary or incident to the making and maintaining the said railroad, and to the conveyance of passengers, and the transportation of goods, merchandise and commodities thereon.
- Seal.
- Proviso.
- Portions of act of 4th April, 1833, made a part of this act.
- Proviso.
- President and manag'rs to make annual statement.
- Location of road.
- SECTION 3. The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-fourth and twenty-fifth sections of the act passed the fourth day of April, one thousand eight hundred and thirty-three, entitled "An act to authorize the Governor to incorporate the Philadelphia and Reading railroad company," be and the same are hereby made part of this act, as if the same were enacted in this act section by section: *Provided*, That the mode of ascertaining damages provided for in the twelfth section, shall be made in the county where the same occur.
- SECTION 4. That the president and managers of the aforesaid company shall annually, on the first Monday in December, transmit to the Auditor General a full statement of their affairs, under oath, and shall pay annually into the state treasury, a tax of eight per cent. on all dividends which may exceed six per cent. on the capital stock paid in.
- SECTION 5. The said company be and they are hereby authorized, as soon as they conveniently can, to locate and construct a railroad, of one or more tracks, from a suitable

point in the village of Catawissa, in the county of Columbia, via Fishing creek and Little Pine creek, in the counties of Columbia and Luzerne, to the borough of Towanda, in Bradford county, and to make, construct and erect a sufficient number of toll houses for the convenience of the said company in the use of the said railroad. to be erected.

SECTION 6. The legislature reserves the right of purchasing all the right of said company in the said railroad, with its appurtenances, at any time after the expiration of twenty-five years from the passage of this act, by paying to said company a sum of money which, together with the tolls received, will be equal to the amount expended by said company in constructing and keeping in repair said road, together with interest thereon, at eight per cent. per annum. Right to purchase reserved.

SECTION 7. That the president and managers of the company for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, may and are hereby authorized to increase the capital stock of said company, for the purpose of rebuilding said bridge, in an amount not exceeding thirty thousand dollars, in shares of fifty dollars each, and that all the provisions and privileges of the act entitled "An act to authorize the Governor of this commonwealth to incorporate a company for erecting a bridge over the river Susquehanna, at the falls of Nescopeck, in the county of Luzerne," passed the ninth day of April, eighteen hundred and seven, are hereby extended to said company, for the purpose of rebuilding said bridge. President and managers of Nescopeck bridge company authorized to increase their capital stock.

SECTION 8. Said company are hereby authorized to appropriate the present funds of said company for the purpose of rebuilding said bridge, provided the present stockholders a majority of them, consent thereto; and said company may notify said stockholders by a publication in the United States Gazette, printed in the city of Philadelphia, and in the Berwick Gazette, printed at Berwick, in Columbia county, for thirty days, that said funds will be so applied, unless withdrawn within sixty days from date of such publication, and their neglect to withdraw said funds within the time specified, shall be deemed and taken as consent on the part of said stockholders that said funds may be so applied by said company. May appropriate the funds of company to rebuild bridge. Notice to stockholders.

SECTION 9. The Governor of this commonwealth is hereby authorized and required to subscribe on behalf of the commonwealth, two hundred shares, of fifty dollars each, to be paid said company by warrants, drawn by him on the Treasurer of this commonwealth: *Provided*, That satisfactory evidence shall first have been received by the Governor, that the president and managers of said company have received subscriptions to be applied to the rebuilding said bridge, amounting to the sum of twenty thousand dollars, including Governor authorized to subscribe 200 shares. Provide.

any balance of original stock which may remain in the hands of said company, not withdrawn by the present stockholders.

President or treasurer to make statement to Auditor General.

SECTION 10. That said company is required to furnish to the Auditor General a statement, under oath, of the president or treasurer of said company, of the cost of building said bridge, and all dividends to be declared by said company hereafter, shall be made upon the amount which the bridge constructed under the provisions of this act, shall cost.

The Little Schuylkill and Susquehanna co. authorized to extend railroad.

SECTION 11. The Little Schuylkill and Susquehanna railroad company, be and they are hereby authorized and empowered to extend their railroad from the connection thereof with the Susquehanna river, along the valley of Fishing creek, into the county of Columbia, to Millville; thence by the nearest and best route to the town of Williamsport, in the county of Lycoming, subject to all the powers and restrictions contained in the act entitled "An act to incorporate the Little Schuylkill and Susquehanna Railroad company," passed the twenty-first day of March, one thousand eight hundred and thirty-one, and the several supplements thereto: *Provided*, The said company shall commence the said work within two years from the passage of this act.

Proviso.

May increase capital stock.

SECTION 12. It shall be lawful for said company to further increase their capital stock in the sum of four hundred thousand dollars, in shares of fifty dollars, under the provisions of the first section of the act authorizing the incorporation of said company.

Commonwealth to pay expense of opening street from State Capitol to canal.

SECTION 13. That the charges, expenses and damages which shall accrue from the opening of a street from the state capitol to the canal, as authorized by a resolution of the general assembly, approved the fourteenth day of April, one thousand eight hundred and thirty-five, shall and the same are hereby directed to be paid out of any monies not otherwise appropriated in the treasury of the state: *Provided*, That the damages shall be ascertained by the appraisers of canal damages, as canal damages are now by law ascertained, who shall take into view the advantages which the persons who apply for damages shall have derived from the opening of the street, and the construction of the public works.

Proviso.

Governor to subscribe \$5,000 to Milesboro' and Smithport rail'd co Canal Com'rs to construct emb'ts at Chenango bridge.

SECTION 14. That the Governor be and he is hereby authorized and required to subscribe, on the part of the commonwealth, five thousand dollars, in shares of twenty-five dollars each, to the Milesborough and Smethport township road company, and to be paid when the road is completed and licensed by the Governor. That the board of Canal Commissioners of Pennsylvania be, and they are hereby authorized, to expend any sum not exceeding one thousand dollars, in the construction of embankments at both ends of the Chenango bridge, at the town of New Castle, Mercer

county, to be paid out of the fund provided for repairs, for the year eighteen hundred and thirty-six, to be drawn and accounted for in the usual manner.

NER MIDDLESWARTH,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, eighteen hundred and thirty-six.

JOS: RITNER.

No. 149.

An Act

To incorporate a company to make a railroad through the unincorporated district of Northern Liberties, in the county of Philadelphia, from the village of Richmond, on the Delaware river, to terminate at a junction with the Columbia and Philadelphia railroad, to be called "The Richmond Railroad 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 John R. Coates, Peter M'Call, Commissioners, Alexander L. Hodgedon, Richard R. Spain, Isaac W. Norris, Abraham P. Eyre, Griffith Evans, Benjamin Jones, Joel Cook, Robert Howell, David Winebrenner, Charles Robb, Isaac H. White, John Thomason, George W. Jones, John Lentz, Francis M. Bride, William Moore, Thomas M. Femington, James M. Closkey, Samuel Moore, Robert M'Clatchey, James Gregory, Robert M'Affee, Robert W. Smith, James Smith, Hugh Catherwood, John W. Ashmead, John Ligget, Alexander Robb, John Johnston, James Campbell, Anthony Campbell, Alexander M'Gauslin, Frederick W. Muller, Charles Engle, Charles Watters, George Peterman, George W. Smith, Charles Brook, Ner Middleswarth, John H. Walker, Howel Hopkins, Thomas Fletcher, Ignatius M'Donough, Benjamin Smith, S. H. Carpenter, John Rheiner,