

No. 155.

A Supplement

To the act entitled "An act for the regulation of the militia of this commonwealth," passed the second day of April, one thousand eight hundred and twenty-two.

Citizen Blues
Indiana co.

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 volunteer company organized and known by the name of the Citizen Blues, in the county of Indiana, shall not be required to perform military duty in connection with any regiment or battalion of militia, remaining in all other respects subject to the provisions of the act to which this is a supplement.

Franklin
Blues and
Chambers'g
Artillerists,
Franklin co.

Proviso.

SECTION 2. That the Franklin Blues and Chambersburg Artillerists of Chambersburg, Franklin county, the York Pennsylvania Riflemen, shall from and after the passage of this act, be exempted from parading or drilling with any regiment or battalion of militia, except at the discretion of said companies: *Provided,* That the above named companies shall meet on the proper number of days required by law, in their company capacity.

NER MIDDLESWARTH,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini, one thousand eight hundred and thirty-six.

JOS. RITNER.

No. 156.

An Act

To incorporate the Pine Grove and Schuylkill Haven 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 Barr, Henry Zimmerman, Thomas Berger, John Snyder, Michael Fritz, John Hefner, William Straugh, Abraham Fertigg, William Huntzinger, Daniel Graif, John Hughes, Charles Denglee, and John Rudy of Schuylkill county, and Griffith M. Eldridge, Thomas Adams, Charles Graff, John B. Trevor of the city of Philadelphia, 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 procure a sufficient number of suitable books, 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 Pine Grove and Schuylkill Haven Railroad 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 Pine Grove and Schuylkill Haven Railroad company;' Witness our hands this day of in the year of our Lord, one thousand eight hundred and ;" and shall thereupon give notice, in two newspapers printed in the county of Schuylkill, and two daily papers in the city of Philadelphia, three weeks at least, of the times and places when and where the said books shall be kept open to 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 name, or the name of any other person who shall authorize the same, for any number of shares in the said stock, and the said books shall be kept open respectively for the purpose aforesaid, at least six hours in every juridical day, for the space of six days, or until there shall have been subscribed five thousand 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 five thousand 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; but no subscriptions shall be valid, unless the person 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 twenty-five hundred shares or more of the said stock shall be subscribed, and five dollars on each share paid to the commissioners, the said commissioners, or a major-*

Commiss'rs.

Form of sub-
scription.When and
where books
shall be open-
ed.\$5 to be paid
on each shareWhen char-
ter may issue

ity of them, may certify the same, under oath or affirmation, to the Governor, whereupon the Governor shall, by letters patent, under his hand and the 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 "The Pine Grove and Schuylkill Haven railroad 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, chattles, and all estate, real, personal or mixed, of whatever 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 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 banking privileges, whatever, or any other liberties, privileges or franchises, but such as may be necessary or incident to the making and maintaining of the said railroad.

Section 3. The president, managers and company of the said railroad company, shall have power to survey, lay down, ascertain, mark and fix such route as they shall deem expedient for a double or single railroad, beginning at the Union Canal company's railroad, at or near Pine Grove, passing through Friedensburg, and terminating at or near the town of Schuylkill Haven, on the river Schuylkill, having due regard to the situation or nature of the ground, and of the buildings thereon, the public convenience, and the interest of the stockholders, and so as to connect either with the Schuylkill navigation or Pottsville and Philadelphia railroad; and do the least damage to private property; and the said road shall not pass through any burying ground nor place of public worship, nor any dwelling house, without the consent of the owner thereof, nor pass through any out building of the value of three hundred dollars without such consent; and the said president, managers and company shall, within six months after ascer-

Style & title.

Privileges & liabilities.

Proviso.

Location and route of railroad.

taining the route of the said railroad, cause an accurate survey of the lines of the said road to be made, a map or plot of which survey they shall cause to be filed in the Secretary's office of this state, which map or plot, or a certified copy thereof, shall be sufficient evidence of the course of said road, which may then be opened, and all the expenses incurred thereby shall be defrayed by said company.

SECTION 4. The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth, 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, eighteen 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 a part of this act, as fully and effectually as if the same had been enacted section by section: *Provided*, that the mode of ascertaining damages provided for in the twelfth section, shall be made in the county where they occur; that the president and managers of the aforesaid company shall annually, on the first Monday of December, transmit to the Auditor General a full statement of their affairs, under oath, and shall pay annually into the treasury of the commonwealth, a tax of eight per cent. on all dividends which may exceed six per cent. on the capital stock paid in: That the legislature reserves the right to reduce the tolls authorized by the passage of this act, and reserves the right to purchase said road, with its appurtenances, at any time after twenty 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 thereon.

NER MIDDLESWARTH,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini, eighteen hundred and thirty-six.

JOS: RITNER.