

act, dispose of so much of said lands as shall reduce the lands so held, to a quantity not exceeding two thousand acres.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The twelfth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 123.

AN ACT

To incorporate the Bear Valley Coal 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 Calvin Blythe, James M'Cormack, Benjamin Parke, Joseph B. Smith, their associates, Corporators successors and assigns, be and they are hereby instituted a body politic and corporate, by the name, style and title of "The Bear Valley Coal Company," with a capital of three Name style and title hundred thousand dollars, divided in three thousand shares of No. of shares one hundred dollars each; and the said company may hold not exceeding two thousand acres of land in Lower Mahoningo township, Schuylkill county, and shall have power and Authority to hold land, authority to construct a rail road or rail roads, from any point in the said land to connect with the Wisconsin canal, or any other of the Pennsylvania improvements, with any other rail To construct rail roads to connect with Pennsylvania improvements road leading to the improvements, and to make the Mahantango creek navigable by slack water or canal, for the transportation of coal from the Susquehanna river, up the same so far as the same may be found practicable; and from thence to construct a rail road, to any point or points, on the said lands, and that the said company hereby incorporated, shall possess and enjoy all the powers, privileges and immunities, and be subject to the restrictions, terms and conditions, so far as the same may be applicable, contained in the act entitled "an Privileges and immunities act to incorporate the Plymouth coal company," certified to and have become a law on the sixteenth day of April, eighteen hundred and thirty eight, and in the first, second, third, fifth,

- sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections of said law. *Provided*, That the acts and things directed by said sections to be done, and situate and situated in the county of Luzerne, shall be done and situate in Schuylkill and Dauphin counties. *And provided also*, That whenever the dividends shall exceed six per cent. per annum, the said company shall pay a tax of eight per cent. on all such dividends into the treasury of the state, for the purposes of education, and the president shall annually, in the month of January, transmit to the legislature, under oath or affirmation, a statement of the receipts and expenditures thereof, and of any dividends which may have been declared during the preceding year. *And provided further*, That the said company shall have power to borrow any sum not exceeding two hundred thousand dollars, and to convert the same into certificates of capital stock, if the same shall be found actually necessary to complete the improvement of the Mahantongo creek, and the continuation of the rail road connected therewith, leading into the coal region, in and about Klinger's Gap, in Schuylkill county, or if the same shall be necessary to complete the rail road, or rail roads, authorized by this act. Only two hundred thousand dollars of said capital stock to be employed in the mining of coal and transporting of the same to market, the balance to be exclusively employed in the construction of the said rail roads and canals or slack water improvements. *And provided also*, That said company shall not charge tolls on coal, merchandize or produce of any kind, on said Mahantongo slack water and canal navigation, exceeding twenty per cent. the tolls charged on the Pennsylvania canal from the head of the Wisconsin canal to Columbia.
- SECTION 2.** When the aforementioned Calvin Blythe, James M'Cormack, Benjamin Parke and Joseph B. Smith, and their associates, shall have subscribed the whole number of shares aforesaid, and actually paid and expended not less than fifteen per cent of the capital aforesaid in purchasing lands, and in such other investments as are authorized by this act, for the use of said company, the Governor on due evidence thereof shall, by letters patent, under his hand and seal of the state, create and erect the said Calvin Blythe, James M'Cormack, Benjamin Parke and Joseph B. Smith, and their associates, successors and assigns, into one body corporate, by the name, style and title of the "Bear Valley Coal Company."
- SECTION 3:** This act shall be and continue in force until the first day of May, in the year of our Lord one thousand eight hundred and fifty nine. *Provided*, That this act shall cease to be in force, unless some one of the rail roads,
- Proviso
- 2nd proviso
To pay tax when dividends exceed six per cent
- Annual report of receipts
- 3rd proviso
- Company may borrow money to complete improvements
- 4th proviso
- Tolls regulated
- When 15 per cent of capital paid in and expended
- Letters patent to issue
- Duration of corporation

or the improvement by slackwater or canal, and rail road authorized by this act, shall be commenced within three years, and completed within seven years from the passage of this act. And the legislature hereby reserve the right to amend alter and repeal, the charter hereby granted, whenever they think proper, in such manner, however, that no injustice may be done to the corporators.

To commence rail road in three and complete en seven years

WM. HOPKINS,

Speaker of the House of Representatives.

P. S. MICHLER,

Speaker of the Senate, pro. tem.

APPROVED—The twelfth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 124.

AN ACT

To incorporate the Allegheny and Bald Eagle Railroad, Coal, and Iron 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 Thomas Burnside, Abraham S. Valentine, Jacob Gratz, John Mitchell, John G. Lowry, and their associates; their successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Allegheny and Bald Eagle Railroad, Coal, and Iron company, for the transaction of the usual business of companies engaged in making rail-roads, of mining bituminous coal and iron ore, manufacturing iron by the use of mineral coal, and in transporting the same to market; and in selling the same; the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have a common seal, and the management and regulation of the said corporation, con-*

Corporators

Name and style

Privileges

Seal