

[No. 20.]

AN ACT

To incorporate the Fourth Mountain Coal and 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 Thomas Bard, George Richards, Samuel F. Headley, Thomas M. O'Brien and Mark Richards and their associates, successors and assigns be and they are hereby constituted a body politic and corporate by the name, style and title of the Fourth mountain coal and rail road company for the transaction of the usual business of companies engaged in the mining of coal, transporting and selling the same and the other products of lands, and construction of rail roads to facilitate the same and shall have all the rights, powers and privileges of the Bradford rail road and coal company, and be subject to all the liabilities, provisions and restrictions imposed upon the said company by the act incorporating the same, passed the twenty-eighth day of May eighteen hundred and forty.

SECTION 2. The said company shall have the right to hold by purchase or lease not exceeding two thousand acres of land, at any one time, in not more than two tracts the whole to be within the townships of Pinegrove and Williams Valley in the county of Schuylkill, in the commonwealth of Pennsylvania: *Provided*, That the said company may hold as above such lot or lots of land not exceeding five acres in any one place as may be found convenient as places of deposit in the transportation and sale of the products of their mines.

SECTION 3. The company hereby incorporated shall have the power to use and employ their moneys, lands and tenements in the making and manufacturing iron from the ore into pigs, blooms or any other description of iron by the use of mineral coal. The capital stock not to exceed six thousand shares of fifty dollars each share, and to have the right of connecting their rail road to the Fishing creek rail road; and if it should be deemed necessary by the Stockholders to extend their rail road to the Union canal at or near Fishing creek: *Provided*, That the Fishing creek rail road company authorized by an act of the legislature of Pennsylvania passed the first of April, eighteen hundred and thirty one, shall not be organized within six months after the passage of this act in accordance to the provisions of the said act and have commenced the said

Corporators

Name

Powers and
privileges

Restrictions

Land

Proviso

Object

Capital limi-
tedMay connect
& extend the
road

Proviso.

rail road in such manner as to insure its completion at the earliest period possible.

WM. A. CRABB,
Speaker of the House of Representatives.
CHARLES B. PENROSE,
Speaker of the Senate.

APPROVED—This twentieth day of February, A. D. one thousand eight hundred and forty one.

DAVID R. PORTER.

[No. 21.]

AN ACT

Authorizing the Canal Commissioners to contract with Milo Adams and Samuel P. Adams for water privileges.

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 canal commissioners be and they are hereby authorized to contract with, and permit Milo Adams of the city of Pittsburg, and Samuel P. Adams of the county of Beaver, their heirs and assigns, to construct a good and substantial race-way and gate on the western side of dam number four on the Beaver division of the Pennsylvania canal for the purpose of drawing off and using the surplus water at said dam. The said race and gate to be constructed under the direction of the principal engineer in such a manner, as to prevent any waste of water, and to permit none but surplus water, or such as may not be necessary to supply the canal to escape through the said gate and race.

SECTION 2. The said Milo Adams and Samuel P. Adams and those claiming under them, shall in consideration of the privilege of using said surplus water, release to the Commonwealth all claim for damages sustained by them in the construction of said dam number four, and pay such further consideration, semi-annually or otherwise to the canal commissioners, as shall be agreed on for the use of so much of the surplus water, as may be used by the said Milo and Samuel P. Adams and those claiming under them: and in fixing the amount to be paid, said canal commissioners shall take into consideration the advantages of the water power to the owners thereof, before the construction of the state works, and adjust the rent on principles of equity, and shall also obligate themselves to relinquish

Canal com'rs authorized to contract with Milo & S. P. Adams for use of surplus water at Dam No. 4. B. D. P. canal.

Considerat'n.

Further consideration.

Amount how ascertained.