

SECTION 3. That the provisions of the twelfth section of the act recited in the first section hereof, shall apply to the road hereby authorized to be constructed, when any one mile thereof shall be completed, instead of five miles as in said section provided. Construction of certain section.

SECTION 4. That if the said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within five years thereafter, this act shall become null and void, except so far as to close and adjust the affairs of said company, and pay the debts of the same. Commencement and completion of road.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED — The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 433.

AN ACT

To incorporate the Mohulbuctitum and Sugar Creek Turnpike and Plank Road Company, in the county of Armstrong.

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 Robert Orr, Jeremiah Bonner, S. D. Dudley, Philip Templeton and Joseph Buffington, of the county of Armstrong; William F. Johnston, F. R. Burnot, William Philips and W. Milner Roberts, of the county of Allegheny, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mohulbuctitum and Sugar Creek turnpike and plank road company, with power to construct a turnpike or plank road from Sugar Creek, in the township of Brady's Bend, to a point at or near the mouth of Mahoning, in the township of Madison or Pine, in the county of Armstrong, Pennsylvania, with all the powers, privileges and rights, and subject to all the provisions and restrictions given, granted, confirmed and contained in an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the various supplements and laws relating thereto, except as hereinafter mentioned. Commissioners.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, at twenty-five dollars each. Style.

SECTION 3. That the time for commencing said work shall be within three years from the organization of said company, and that the same shall be completed in five years after such commencement of the work. Subject to the provisions of certain act.

Capital stock.

Commencement and completion of road.

Interest on stock. SECTION 4. That said company shall have authority by resolution of the board of managers, to allow interest on stock subscribed and paid in, and to charge the same to cost of construction, to borrow money, to execute a mortgage of all their estate and franchises for the payment of the same, on such terms in relation to time and interest as may be agreed upon by the parties : *Provided*, No such mortgage shall be executed until twenty-five thousand dollars shall have been expended on the work : *And further provided*, That no bond shall be in a sum less than one hundred dollars.

Subscriptions. SECTION 5. That all incorporated companies shall have authority to subscribe to the stock of said company, as fully as individuals may do ; said corporations to be represented at elections and other meetings of the stockholders of said company, by such agents as they may appoint under their corporate seal.

Bridge to be erected. SECTION 6. That said company shall have authority to erect a bridge over the Allegheny river, at such point as said company may deem advisable, and in the event of erecting such bridge said company shall be entitled to all the rights, privileges and immunities, and subject to all the provisions and restrictions contained in the sections of an act amongst other things incorporating the Kittanning bridge company, said act being entitled "An act authorizing the Governor to incorporate the Mahoning, Kittanning and Freeport turnpike road company and for other purposes," approved the second day of April, one thousand eight hundred and thirty-eight, and any supplements to said law so far as said Kittanning bridge company are concerned.

Tolls. SECTION 7. That said company shall have the right to charge and take tolls so soon as the same is finished, whether any part of their road is completed or not, and the failure to construct any part of said road shall not interfere with the said company rights in said bridge.

Power to sell privileges. SECTION 8. The said company are hereby empowered to sell to any other corporation, created by act of Assembly of this Commonwealth, their turnpike, plank road and bridges, as also all their rights and franchises of whatsoever kind hereby granted.

Damages. SECTION 9. The damages which may have been assessed and paid by the corporation, hereby created to the owners of lands over and through which said turnpike and plank road may pass, shall be taken into computation in any future assessment that may arise by the change of corporation, and shall be deducted from the amount which may be awarded to the owner of said land to be paid by said purchasing corporation.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.