

or interfere with the laws regulating the sale of merchandize or wares in this Commonwealth: *And provided further*, That it shall not interfere with the regular business of the canal.

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

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 646.

# AN ACT

To incorporate the Moselem Turnpike 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 William Eckert, Job H. Cole, William H. Clymer, John Ger-  
nant, senior, John G. Kaufman, Nicholas Fisher, Frederick S. Hunter, Penrose Wiley, Edward M. Clymer, and John Kenerer, of Berks county, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company by the name, style and title of the Moselem Turnpike company, with power to construct a turnpike from Leesport, in the county of Berks, to the Moselem iron mines, in Richmond township, in said county, with power to extend the same on to Kutztown, in said county, subject to all the provisions and restrictions, and with all the powers and privileges 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 supplements thereto: *Provided*, That the said company shall have the right to make use of the whole or any part of any public road, between the said points, that the said company may desire to locate their road upon, and locate their road upon the whole or any part of the ground now occupied by such public road; and it shall be lawful for the court of quarter sessions of said Berks county to appoint viewers, to view and vacate such parts of such public roads as shall be used or rendered useless by the said company, as is provided by the general road laws of this commonwealth, in the cases of roads which have become useless.

Commissioners

Style.

Subject to provisions of certain act.

Proviso.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars per share: *Provided*, That the company shall be subject to the provisions, restrictions and limitations of the act incorporating the Lancas-

Capital stock

Proviso.

## LAWS OF PENNSYLVANIA,

ter and Ephrata turnpike and plank road company, approved March twenty-fifth, one thousand eight hundred and fifty.

E. B. CHASE,

*Speaker of the House of Representatives.*

M. M'CASLIN,

*Speaker of the Senate.*

APPROVED—The eighth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 647.

## A FURTHER SUPPLEMENT

To an act, entitled "An act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company," approved the eleventh day of April, one thousand eight hundred and forty-eight.

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 proper compensation for all or any damage done, or likely to be done to, or sustained by the owner or owners of land which the said company may enter upon, use or take in the construction and repair of their road, and any of their works, shall be ascertained and adjusted under the provisions, and in the manner provided in the tenth and eleventh sections of the act, entitled "An act regulating railroad companies," passed the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided,* That whenever, by the report of viewers, damages have been assessed, the president of the said company may tender to the owner or owners of the land, the amount of the damages so assessed in full satisfaction thereof, or a bond with such security, and of such amount, as shall be approved of by one of the judges of the court of common pleas, of the county wherein the damages have been or may be assessed, conditioned for the payment of such sum or sums of money by the company, as shall be finally assessed or agreed; and upon such tender of money or security, it shall be lawful for the company forthwith, to enter upon such land or lands, and to make and construct their road and works, and use and take away materials for the construction and repair of the same, as fully, and in the same manner, and with the same effect, as if the said assessment had been finally adjudicated, paid and settled: *Provided,* That at least five days' notice shall first be given to the owner of such lands, or their known agents or attorney, of the time and place of offering such security for approval, and the names of the sureties to be offered.

SECTION 2. That the president and managers of the said company are hereby authorized and empowered to exercise all the powers conveyed, by the sixth section of the said last mentioned

Damages how  
ascertained.

Proviso.

Proviso.

Subject to provi-  
sions of certain  
act.