

No. 136.

AN ACT

To amend an act, entitled "An act to incorporate the Philipsburg and Juniata Rail Road 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 it may be lawful for the president and managers and company of the Philipsburg Rail Road Company, at a stated or special meeting convened for the purpose, to increase the number of shares of the stock of said company, so that the capital of the company shall not exceed three hundred and fifty thousand dollars, and to receive and demand the monies for shares so subscribed, in like manner and under like penalties as are provided in the act to which this is an amendment for the original subscription, or as shall be provided for by their by-laws.

Increase of
stock authori-
zed.

Capital not to
exceed
\$350,000.

Power to
purchase and
place on said
road all ma-
chines, &c.

To transport
goods, &c.
also passeng-
ers and the mail.

Rates of toll.
Transporta-
tion of pas-
sengers not
to exceed five
cts. per mile.

For the mail,
such sum as
they may
agree for.

Proviso.

SECTION 2. The said president and managers shall have power to purchase, with the funds of the said company, and place on the said rail road, all machines, wagons, vehicles, carriages and teams of any kind, whatsoever, which they may deem necessary or proper for the purposes of transportation, and that they may also, to any extent to which they may deem it advisable, transport all goods, wares, minerals and merchandize, or other articles which may be offered them for transportation, and also passengers and the mail; and that the said president and managers may charge for toll and freight, on all articles so conveyed by them, not exceeding twice the rates granted in the act to which this is an amendment for toll, and that they may demand and receive, for the transportation of passengers, a sum not exceeding five cents per mile for each passenger, and for the transportation of the mail such sum as they may agree for: *Provided,* That they shall, in this case, be required to transport to the termination of the said rail road, or to any other point on the said rail road, in the order in which they, their officers and agents shall be requested to transport the same, all good, wares, minerals and merchandize, or other articles which shall have been deposited at the company's depots, or convenient to the said rail road, so that equal and impartial justice shall be done, to all owners of property, by the said company, who shall pay or tender to the officers of the company the toll and freight due under this act on the goods, wares, minerals and merchandize, or other articles which they may wish transported.

SECTION 5. As soon as the said president and managers shall have provided the necessary machines, wagons, vehicles and carriages for the purposes of transportation, it shall not be lawful, for any individual, to place on the said rail road any other machines, wagons, vehicles or carriages, or to transport in the same, except by virtue of a license from the said president and managers and their authorized agents, who shall be entitled to grant the privilege of transporting on their rail road, on such terms and conditions and under such regulations as may seem to them proper.

No individual to place on said road any machines, wagons, &c. unless by a licence.

May conduct water to their inclined

SECTION 4. The said president and managers are hereby authorized, to conduct the water of any adjacent streams to their inclined planes, and to their engine and water stations, and to enter on and occupy, not exceeding twenty-five feet in width of any adjacent lands through which it may be necessary to conduct the water they may require, and that the said president and managers be also authorized to enter on and occupy, not exceeding two acres of land, at any one point where they may deem it necessary to erect engine houses, stables, shops, reservoirs or other necessary buildings, and if the said president and managers and the owner of the land cannot agree upon the compensation to be made for any injury, or supposed injury, that may be done to said land; by such entry and occupation, the same shall be assessed under the provisions of the fifteenth section of the act to which this is an amendment.

To enter on and occupy adjacent lands for such purpose. To enter on and occupy land at any point, to erect engine houses &c.

If the parties cannot agree upon the compensation for injury done, how assessed.

SECTION 5. If the owner of any land which may be entered upon and occupied by the preceding section of this act, or for the purpose of constructing any portion of the Philipsburg and Juniata rail-road, or for procuring material for the same, shall oppose such entry and occupation, the construction of the rail-road, or of the necessary buildings and devices of the company, shall not be delayed thereby, but the same may progress during the pendency of any proceedings, under the fifteenth section of the act to which this is an amendment.

If the owner of the land shall oppose entry or occupation, the business of the co. not to be delayed.

SECTION 6. If any person or persons shall wilfully or maliciously destroy any of the said company's constructions, or place designedly or with any evil intent any obstruction on the line of the rail-road, so as to jeopard the safety and endanger the lives of persons travelling the same, such person or persons so offending shall be deemed to be guilty of a misdemeanor, and shall on conviction, in the court of Quarter Sessions of the proper county, be sentenced to the jail of the proper county for a term not less than one, nor more than two years.

Certain acts to be deemed a misdemeanor. How punish'd

SECTION 7. The said president and managers are hereby allowed until the first day of January, one thousand eight hundred and thirty-six for the commencement of said work, and until the first day of January, one thousand eight hundred and thirty-nine for its completion, any thing in the act to which this is an amendment to the contrary notwithstanding.

Time allowed to commence and complete said work.

7th sec. of an act entitled, An act to incorporate the Philipsburg and Juniata R. R. co. how construed.

SECTION 8. The seventh section of the act, entitled "An act, to incorporate the Philipsburg and Juniata rail-road company," shall not be so construed as to prevent any subscriber to the capital stock of the said company, from including in one certificate of stock the whole amount of shares subscribed and held by him, or such portion thereof as he may deem proper; and that it shall be the duty of the secretary to insert in each certificate so many shares as the subscribers entitled thereto shall respectively require; and that the assignee of any such certificate, or of any number of the shares mentioned therein, shall be entitled to as many shares as shall be so assigned to him, and to all the estates and emoluments of the company incident thereto, in as full a manner, and subject to the same liabilities as if a separate certificate had been issued for each share.

Duty of the secretary.

Assignee subject to certain liabilities.

SECTION 9. All parts of the act to which this is an amendment, coming within the provisions of this act be, and the same are hereby repealed.

SECTION 10. The Legislature reserves to itself the right to alter, amend or annul all or any part of the privileges hereby granted by this act.

WM. PATTERSON

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO. WOLF.

No. 137.

AN ACT

For erecting the County Board and concerning the Commissioners and Auditors of the county of Philadelphia, and for other purposes.

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 commissioners of the county of Philadelphia, be and they are hereby authorized to borrow on the credit of the said county a sum or sums not exceeding, in the whole, four hundred and seventy-five thousand dollars, at an interest not exceeding five per cent. per annum, which shall be applied to the payment and discharge of all debts heretofore incurred or contracted and now due or growing due from the said county, or the commissioners thereof, whether for money borrowed by

Comm'rs authorized to borrow a sum not exceeding \$47,000 at an interest exceeding 5 per cent.