

No. 169.

An Act

Supplementary to an act, entitled An act to prevent the disturbance of meetings held for the purpose of religious worship, passed the second day of April, one thousand eight hundred and twenty-two.

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 if any person or persons convicted under the sixth section of the act to which this is a supplement, shall refuse or neglect to satisfy the fine imposed on him, her or them, and goods and chattels cannot be found whereof to levy the same, the said person or persons so convicted shall be committed to the jail of the proper county for a term not exceeding five days.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The fifteenth day of April, eighteen hundred and thirty-five.

GEO: WOLF.



No. 170.

Supplement

To an act entitled A supplement to the act to incorporate the Beaver Meadow Rail Road and 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 it shall be lawful for the Beaver Meadow rail road and coal company to locate and construct their rail road from immediately above Mauch Chunk, or from a point opposite to the landing of the Room Run rail road, down the valley of the Lehigh, to such points or places as they are now authorized to extend the said road to, by the act to which this is a supplement, and for that purpose shall have power by their engineers, agents and workmen, to enter upon the lands or tenements of the Lehigh Coal and Navigation company, or of other persons, and

Place of
location.

May enter
upon lands of
the L. C. N.
company.

occupy so much thereof as may be necessary and suitable for the said rail road, doing as little damage as possible, first satisfying the owners of such lands, lots or tenements for the same, if the parties can agree, but if they cannot agree upon the compensation to be made to the said owners, then either of the said parties may apply to the court of Common Pleas of the proper county where the land lies, and said court shall award a venire directed to the sheriff to summon a jury of disinterested men, who shall ascertain and report to said court what damages, if any, have been sustained by the said owner, by reason of the construction of said rail road upon their lands, which report being confirmed by the court, judgment shall be entered and execution may issue in case of non-payment for the sum awarded, with costs; and it shall be the duty of the said jury to take into consideration the advantage derived to the said owner, from the said rail road: *Provided*, That either party may appeal to the court within thirty days after such report may have been filed in the prothonotary's office of the proper county, in the same manner as appeals are allowed in other cases: *Provided further*, That the said rail road shall not injure or obstruct the navigation of the Lehigh canal, nor approach within twelve feet of the inner edge of the bank of the same, or the balance beams of the locks when of ordinary and suitable lengths or other existing fixtures of said canal on the tow path side, nor within seven feet of the same on the berm side except when it may be necessary to cross the said canal with bridgeways, which shall be of the same or greater height from the surface of the water in said canal as those constructed over said canal by the Lehigh Coal and Navigation company; and shall be lawful for the Beaver Meadow rail road and coal company, to construct one or more basins on the berm side of the Lehigh canal or slack water upon such ground as the said company may own or obtain the use of for that purpose, from the owners thereof; and that so much of the above described act or acts as is altered or supplied by this act, be and the same is hereby repealed: *Provided further*, That it shall be the duty of the Beaver Meadow company to erect screens of timber or other materials between their rail road, and the tow-path at such places as the rail road shall be located within twenty feet of the canal or slack water navigation on the tow-path side.

JAMES THOMPSON,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.