

the manner provided for the election of school directors by the act to which this is a supplement.

SECTION 2. All money now in the treasury of the county School mon- of Indiana, assessed on citizens of the borough aforesaid, or by assessed; yet to be collected for school purposes, so assessed as afore-how applied, said, shall be paid to the use and for the support of schools in- in said borough, that now or may be hereafter organized under the provisions of the act aforesaid.

NER MIDDLESWARTH,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The thirty-first day of March, Anno Domini, one thousand eight hundred and thirty-six.

JOS. RITNER.

No. 84.

A Supplement

To an act entitled "An act authorizing the Governor to incorporate a company to extend the West Chester railroad into and along the streets of the borough," and An act to incorporate the Phoenixville and Chester Springs railroad company, and supplementary to the "Act authorizing the incorporation of the Susquehanna Railroad company," passed the ninth of April, eighteen hundred and thirty-three, and the Williamsport and Elmira railroad, and An act authorizing the Governor to incorporate a company to make a railroad along the streets of the borough of Newville, and An act authorizing the Governor to incorporate the Beaver and Conneaut 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 whenever a majority of the borough council shall assent thereto, and when one hundred shares shall have been subscribed, and five dollars on each share paid, the commissioners, or a majority of them, may certify the same to the Governor of the commonwealth, who shall thereupon issue letters patent, in the manner and

under the regulations prescribed by the third section of the act to which this is a supplement, and that portion of the said third section hereby supplied, is hereby repealed.

SECTION 2. That the said company are hereby authorized to construct a railroad from the place where the West Chester railroad now terminates, or may hereafter terminate, or from any other point or place on said West Chester railroad; and the time limited in the twenty-third section of the act to which this is a supplement, for the commencement and completion of said railroad, is hereby extended four years from and after the periods therein respectively designated, and the proviso in the tenth section of the same act, is hereby repealed: *Provided*, That the company shall not alter the grade of any of the streets on which they shall lay rails.

The time for commencement & completion of said railroad extended four years. Proviso.

SECTION 3. *Be it enacted by the authority aforesaid*, That Emmer Kimber, Joseph Whitaker, Edward Garrigues, William Rodgers, C. B. Jaudon, John Morgan, James Whitaker, Samuel Shearer, Henry Olwine, A. Marshall, Isaac Tustin, John Latschaw, William W. Downing, M. Pennypacker, Esquire, of Chester county, Henry Coates, J. B. Steregere, and John Freedly, of Montgomery county, Joseph Wood, Elihu Chauncey, Robert V. Massey, and John Tustin of Philadelphia, or any two of them, be and they are hereby appointed commissioners, to do and perform the several things, with the rights and privileges mentioned in the act passed the thirteenth day of January, eighteen hundred and thirty-six, entitled "An act to incorporate the Reading and Brandywine railroad company," except so far as the rights, privileges and immunities of the said company are supplied by the provisions of this and the following section of this act.

Commissioners appointed

Powers and privileges.

SECTION 4. *Be it enacted by the authority aforesaid*, That the company incorporated by the third and fourth sections of this act, shall have power to survey, lay down, ascertain, mark and fix such route as they shall deem expedient; and also to construct a railroad, with one or two tracks, from Phoenixville, in Schuylkill township, Chester county, to Chester Springs, Pikeland township, Chester county: *Provided*, The capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of fifty dollars each: *And provided further*, That as soon as the commissioners, or a majority of them, shall certify to the Governor that five hundred shares of said stock have been subscribed, and five dollars paid on each share, the Governor shall, by letters patent, create the said subscribers, and such as may become subscribers, a company, for the purposes heretofore designated, in the name and style of the Phoenixville and Chester Springs railroad company; that the president and managers of the aforesaid companies

Power to fix route and to construct a railroad from Phoenixville to Chester Springs.

Proviso, as to the capital stock, \$150,000. Shares \$50 each.

Letters patent.

shall annually, on the first Monday in December, transmit to the Auditor General a full statement of their affairs, under oath, and shall pay annually into the treasury of the commonwealth, a tax of eight per centum on all dividends which may exceed six per cent. on the capital stock actually paid in.

Annual statement of affairs to the Auditor General.
Tax on dividends.

SECTION 5. The Williamsport and Elmira railroad company shall be authorized to carry the United States mail on said road, on such terms as they may agree on, and also to charge and receive toll on passengers, not exceeding two cents per mile for each, and on each ton of produce or minerals, not exceeding two cents per mile, and on the articles enumerated in the forty-first section of the act to which this is a supplement, to charge the several sums therein stated, together with such additional charge for freight or transportation, as the company may deem just and reasonable.

Williamsport and Elmira railroad co. authorized to carry the U. S. Mail, on terms.

SECTION 6. The privileges granted by the seventh section of the act entitled "A supplement to the several acts incorporating the Northern Liberties and Penn township railroad company, the Mine Hill company," passed April third, A. D., eighteen hundred and thirty-two, be and are hereby extended to the president and managers of the Williamsport and Elmira railroad company.

Certain privileges granted to two other companies, extended to the Williamsport & Elmira co.

SECTION 7. That from and after the first Monday in May, eighteen hundred and thirty-six, the directors of said company shall consist of thirteen of the stockholders, who shall be elected in the manner prescribed by the act to which this is a supplement, after ten days notice of the time and place of said election, in two newspapers published in the city of Philadelphia, and one in Lycoming county; and that the said directors, or a majority of them, shall be, and they are hereby authorized to elect their own president, and other officers of the said company, and to do all such acts as the president and directors of said company are now authorized to do by said act, and any five of said directors shall constitute a quorum for the transaction of business.

13 directors to be elected.
President & other officers.
Quorum.

SECTION 8. That so much of the said act of assembly to which this is a supplement as is hereby altered or supplied is hereby repealed.

Repealing clause.

SECTION 9. From and after the passing of this act, nothing contained in the second section of the act entitled "An act authorizing the Governor to incorporate the Susquehanna railroad company, passed the ninth of April, eighteen hundred and thirty-three, shall be construed or understood to prevent the company from placing on said railroad, cars or vehicles for the transportation of produce, merchandise and persons, under the same rules, regulations and restrictions they prescribe to others: *Provided also*, That the third section of the act to which this is a supplement, is so far altered and supplied as to permit a moiety of the board of

Relative to the Susquehanna railroad comp'y.
Proviso as to directors.

directors to be residents and citizens of other states, providing the stockholders shall deem it to be their interest.

Tolls.

SECTION 10. In addition to the tolls provided for in the tenth section of the act to which this is a supplement, the president, directors and company shall have the right and privilege of charging on all passengers, excepting only such as are necessarily engaged in conducting the cars, three cents each per mile, and upon all cars carrying less than half a ton, or empty cars, one cent per mile, but no person or persons shall ride or lead, drive or pass along said railroad any horse or horses, cattle, or animals of what kind soever, nor place any car or other vehicle thereon, without a permit or license first had and obtained from said company, subject to such rules and regulations as shall be from time to time prescribed by the said company, to govern the use of the said railroad.

Mode of ascertaining the tonnage of any vehicle running the road.

SECTION 11. In order to ascertain the tonnage of any car or other vehicle running the said road, and to prevent disputes between the supercargoes and collectors of tolls concerning the same, upon the request of the owner or supercargo of such car or vehicle, or of the collector of said tolls, at any point fixed for the purpose on said railroad, it shall and may be lawful for each of them to choose one skilful person to measure and ascertain the actual loading of the same, and to mark the said tonnage so ascertained, with figures, upon the said car or vehicle, in colors mixed with oil, and that the said car or vehicle so measured and marked, shall be permitted to pass along said railroad for the price per ton to which the ascertained loading shall amount, agreeably to the rates fixed; and if the owner or supercargo of any car or vehicle shall decline choosing a disinterested person, resident within five miles of the place where said toll is payable, to ascertain the tonnage and loading thereof, then the amount of such tonnage and loading shall be fixed and ascertained by the person appointed for that purpose by the president and directors, or chosen by said collector of tolls for said company, and the toll shall be paid according to such measurement, and ascertained before any such car or vehicle shall be permitted to pass the place where such toll is made payable, by the said president and directors: *Provided*, That every car or vehicle carrying a fraction more than half a ton, shall be deemed and taken as carrying a ton.

Tonnage to be marked on the vehicles.

Proviso.

Annual meetings of the stockholders.

SECTION 12. The annual meeting of the stockholders shall be held on the first Monday of December, at such places as shall be fixed upon by the by-laws, of which meeting due notice shall be given; at which meeting they shall have full power and authority to make, alter or repeal, by a majority of votes, in manner following, all by-laws, rules, regulations and orders, and to do and perform every other corporate act,

not inconsistent with the constitution and laws of the United States or of this state; and the number of votes to which each stockholder shall be entitled, shall be according to the following scale, viz: Every share not exceeding twenty shares, one vote; for every other five shares, one vote; to be given in person or by proxy, constituted in writing: *Pro-Provido.* That special meetings of the stockholders may be held, at such times and places, and under such rules and regulations, as a majority of the stockholders shall direct, and at every annual or special meeting of the stockholders, for the purpose of enacting, altering, or amending any by-laws, rules or regulations, the right of voting shall be as aforesaid. Ratio of votes

SECTION 13. The stockholders, at their annual meeting on the first Monday of December, shall, by a majority of votes present, choose their officers for the ensuing year, as mentioned in the third section of the act to which this is a supplement, who shall continue in office one year, and until others are chosen, and the number of votes to which each stockholder shall be entitled in the election of directors and officers, shall be according to the number of shares he or she shall hold, in the proportion following, that is to say: for each share not exceeding ten shares, one vote; for every two shares above ten and not exceeding twenty, one vote; for every five shares above twenty and not exceeding fifty, one vote; for every ten shares above fifty and not exceeding one hundred, one vote; but no shares or number of shares above one hundred, shall confer any additional right of voting, and no share shall confer the right of suffrage, unless it be holden by the person in whose name it appears, absolutely and bona fide in his own right, or that of his wife, for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right and for the use and benefit of some corporation, copartnership or society, of which he or she may be a member, and which shall not be bona fide held as aforesaid; and all votes by proxy shall be on such terms and conditions as are prescribed by the act passed on the twenty-eighth day of March, one thousand eight hundred and twenty; entitled "An act to regulate proxies." Annual meeting of the stockholders.

SECTION 14. If after thirty days notice in the public papers, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in order to carry on the work, any stockholder shall neglect to pay such proportion or instalment, for the space of thirty days after the time so appointed, every such stockholder shall, in addition to the instalment so called for, pay at the rate of two per centum per month for the delay of such payment; and if the same and additional penalty shall remain unpaid for three months after the expiration of the said thirty days, the same may be forfeited to the company. Ratio of votes.

Penalty for neglect to pay instalments.

Forfeiture.

and sold to any person willing to purchase the same, or the president and directors may, at their election, cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previous to the said election or meeting.

Proviso.

Bond, with security to be given by officers, etc.

SECTION 15. The president and directors of said company shall and may require and demand of and from the treasurer and all and every other the officers and other persons by them employed, bond in sufficient penalty, and with such securities, as they shall by their rules, orders and regulations require, for the faithful discharge of the several duties and trusts to them or any of them respectively committed:

Proviso.

Provided, That no one officer of said corporation shall at any time be accepted as security for another: *And provided also*, That the said company may dispense with making semi-annual dividends, if a majority of the stockholders shall deem it to be the interest of the company so to do: anything in the fourteenth section of the act to which this is a supplement, to the contrary notwithstanding.

2d Proviso as to dispensing with semi-annual dividends.

Certificates of stock.

SECTION 16. The president and directors shall procure certificates or evidences of stock, for the shares of the said company, and shall deliver one such certificate, signed by the president and attested by the treasurer, and sealed with the common seal of the corporation, to each person for the shares by him subscribed or held, which shares of stock or any one or more of them, shall be transferrable at his pleasure, in person or by attorney duly authorized, in the presence of the president or treasurer, each of whom shall keep a book for the purpose, subject however to all payments due or to become due; and the assignee holding any share, having caused the assignment to be entered in a book of the company, to be kept for the transfer of stock, shall be a member of the said corporation; and for every share assigned to him as aforesaid, shall be entitled to all the estates and emoluments of the company incident to one share, and to vote as aforesaid at the meetings thereof, and subject to all penalties and forfeitures, and of being sued for all the balances and penalties due or to become due on each share, as the original subscriber would have been.

Transferrable.

Legislature reserves the right to annual charter, etc.

SECTION 17. If the said company shall misuse or abuse the privileges hereby granted, the legislature reserves the right to revoke or annul the charter at any time they may think proper; the legislature also reserves the right to purchase the right of said company, and the railroad, with its

appurtenances, at any time after thirty years from its completion, at a reasonable price and valuation.

SECTION 18. Sections thirteen, fifteen, seventeen and twenty-one, of the act to which this is a supplement, and all other part or parts of the said act that are hereby altered or supplied, be and the same are hereby repealed.

SECTION 19. John Johnson, John Moore, William Barr, William H. Woodburn, John P. Geddes, Jacob Kinsley, James Kennedy, Jacob Swoyer, James Davidson, and George W. Woodburn, are hereby appointed to perform the several matters herein provided for, to wit: they or any three of them, shall procure suitable books, in which shall be entered as follows: "We and each of us whose names are hereunto subscribed, do promise to pay to the directors of the Newville Branch railroad company, the sum of ten dollars for every share of stock set opposite to our names, and by us respectively subscribed, in such manner and proportions, and at such times and places as shall be fixed on by the directors of the aforesaid railroad company," and shall thereupon give due and public notice, time and places where the commissioners, or a majority of them, will attend to receive subscriptions, who may adjourn from day to day, until they shall have six hundred shares subscribed, no subscription to be valid unless the sum of two dollars be paid at the time of subscribing, for the use of the company, and the commissioners shall close the books as soon as the required number shall have been subscribed.

SECTION 20. When one hundred shares shall have been subscribed, and the sum of two dollars on each share be paid, the commissioners, or a majority of them, may certify the same to the Governor of the commonwealth, who shall thereupon issue letters patent, in the usual form, creating the subscribers, and those who may afterwards subscribe, into a corporate company, by the title of the "Newville Branch railroad company," by which title the said subscribers shall have perpetual succession, and all the privileges and rights of a corporation, may purchase and hold, to them and their successors and assigns, lands and other species of property necessary for said road, and the same from time to time may pledge, mortgage, or dispose of, and may make dividends of the profits, as they may deem proper; the said company may have a common seal, and generally, do all things for the well being of the said corporation, and the due management of the affairs and business of the same: *Provided*, That nothing herein contained shall be construed to give any banking privileges to the said corporation, or any rights, but such as may be necessary to carry the objects and provisions of this act into full effect.

- Organization of the company.** SECTION 21. Five directors shall be annually elected by the stockholders, by ballot, to manage the concerns of the said corporation, the votes to be given in person or by proxy, the directors to choose one of their number president; they shall serve one year or until others are elected, agreeably to this act, and shall have power to make all by-laws, orders and regulations, not inconsistent with the constitution and laws of the United States and Pennsylvania; none but stockholders shall be eligible as directors, and each stockholder shall be entitled to vote according to the number of shares he or she shall hold, in the proportions following: for every share not exceeding two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; and for every five shares above ten, one vote; no stockholder to be entitled to a vote, unless the stock be held by him absolutely in his own right, or that of his wife, or as executor, administrator, trustee or guardian, or for the use of some co-partnership, corporation, or society, of which the voter is a member, and unless all arrearages be paid, which have been unpaid for twenty days;
- Ratio of votes.** all proxies shall be dated and given within thirty days of an election, and on the terms prescribed by the act to regulate proxies, of the twenty-eight March, one thousand eight hundred and twenty; no share held by transfer shall be entitled to vote, unless the same shall have been transferred at least three months before the election.
- Proxies.** SECTION 22. The commissioners, or a majority of them, shall, as soon as convenient after letters patent have been obtained, give ten days public notice to the stockholders, of the time and place fixed by them, within the borough, to meet, and elect five directors, as provided for in this act; and annually thereafter, the stockholders shall meet on the first Monday in October in each year, to elect directors as aforesaid, upon notice being given by the president, or other officer of said company, in the manner before mentioned; if however, from any cause, the election shall not be held on the day specified, it may be held on any subsequent day within the year, on like notice, and in the mean time, the directors of the preceding year shall continue to act, nor shall the charter be avoided by such neglect; all vacancies to be filled until the next election, by the remaining directors.
- Notice of the time and place of holding election.** SECTION 23. The said directors shall meet when and as often as may be necessary; a majority shall constitute a quorum to transact business, and in the absence of the president, may choose a president pro tem.; they are authorized to appoint such officers and engineers as may be found necessary, to fix their compensation, and take security for the faithful performance of their duties and trusts; they shall have power to fix the time, manner and proportions in which the stockholders shall pay their instalments, and to forfeit for the use of the company, the share or shares of any
- Vacancies to be filled by directors.**
- Quorum.**
- Powers of the board.**

person neglecting to comply with their requisitions; to regulate the tolls, and make such contracts and agreements with others, as the execution and management of the works, and the convenience and interest of the company may appear to require, and in general, to superintend and direct the receipts, disbursements, and all other affairs and proceedings of the company, necessary to the full execution of the designs of this act.

SECTION 24. The directors shall issue certificates of stock ^{Certificates} to the subscribers or shareholders in said company, from ^{of stock.} time to time, as may be found useful and proper, signed by the president, subject, however, to all payments due or to grow due thereon, which stock may be transferred in person ^{Transfer-} or by attorney, or by executors, administrators, trustees, ^{able.} guardians or other authorized persons, under regulation of ^{Annual} the by-laws; the directors shall make out and exhibit at ^{statement of} their annual meeting a full statement of the condition of the ^{of the com-} company, and at the request of the stockholders holding one- ^{pany.} fourth of the stock, special meetings of the stockholders ^{Special} shall be called, by public notice, stating the objects of the ^{meetings.} meeting, but no business shall be transacted unless the shares of stock be represented.

SECTION 25. The said company are hereby authorized, as ^{Location of} soon as convenient after obtaining a charter, to locate and ^{the railroad.} construct a single track of railroad, with turnouts, if necessary, from that of the Cumberland Valley railroad, west of and near to where said road crosses Big Spring, by such route or routes, and into and along such street or streets, as may be most advisable and beneficial to said company, and to construct such ware and toll houses, cars and carriages, and other vehicles, and all such other works and appendages, as may be necessary for the full enjoyment and occupancy of the said railroad, and the said company are ^{To connect} hereby empowered to connect the Newville Branch railroad, ^{with the} so as to form a continuous track with the Cumberland ^{Cumberland} Valley railroad, into and along the streets of the borough. ^{Valley rail-} road.

SECTION 26. The said company be authorized to grade ^{Authority to} any street or streets of the said borough, if the same shall ^{grade the} be found necessary for locating and laying down said rail- ^{streets.} road, in such manner as not unnecessarily to injure the said streets, or the traveling thereon, and may excavate and level any street to lay the track of said road on, and have all the power required to accomplish the construction and completion of said railroad, according to the intention of this act: ^{Provided,} That when fully completed, the said road shall ^{Proviso.} not unnecessarily obstruct the general traveling and passage along the streets of said borough.

SECTION 27. The right of entry to survey and locate said road, and the arrangement for the assessments of damages, the appointment and duties of viewers, the right of appeal to

For certain matters refer to the acts relating to the Cumberland Valley railroad company.

the court of Common Pleas, and the liability of appellants, the declaring the road a highway, the fixing the tolls and penalties for evading them, the declaration of dividends, the penalties for injuring or obstructing the road, suits for penalties and recovery of damages, be and hereby are authorized to be regulated and governed by the part or parts of the act or acts authorizing the chartering of the Cumberland Valley railroad company, regulating and governing the same, or similar matter or things, for said company, and the said Newville Branch railroad company, are hereby authorized to refer to, and act under, or use the said part or parts of said act.

Charter to be null unless the work be commenced within 3 yrs. and completed within 6 years, &c.

SECTION 28. If said company shall not commence the said railroad within three years, and carry into effect the objects of the charter within six years from the passage of this act, or if after the completion of the said road, the same shall be suffered to go to decay, and to be impassable for the period of two years, then the charter shall be null and void, except so far as not to exonerate the company from the payment of any damages that may have accrued to individuals: *Provided*, That the said company may construct railroads along other streets of said borough, after the expiration of six years, when in the opinion of two thirds of the taxable inhabitants of the borough, the public interest may seem to require it.

Proviso,

Legislature may resume all the rights conferred.

SECTION 29. If at any time any of the privileges hereby granted shall be wilfully and unlawfully abused, the legislature may resume all rights and privileges conferred by this act.

Cumberland Valley railroad company authorized to construct lateral railroads

SECTION 30. The Cumberland Valley railroad company shall have power to construct lateral railroads, from their railroad to mills, iron works, and such public places in the vicinity of such road, as may be considered important, and make such arrangements with the owners of such mills or iron works, as to the cost and tolls upon such lateral roads, as may be just, and not inconsistent with the charter of the said railroad company.

Commissioners appointed

SECTION 31. That Thomas Henry, Benjamin Adams, Robert Darragh, John English, A. W. Townsend, M. T. C. Gould, Thomas Thornley, James Patterson and John Winter of Beaver county, Benjamin Darlington, William Hays, William Robeson, junior, Neville B. Craig, James Ross, junior, of Allegheny county, Charles T. Whippo, Joseph T. Boyd, James D. White, and John B. Pearson of Mercer county, C. B. Penrose of Cumberland county, Charles S. Baker, John Moss, J. R. Burden, and Edward R. Biddle of Philadelphia city, or a majority of them, be and they are hereby authorized to procure subscriptions of stock to the Beaver and Conneaut railroad company; and when three thousand shares or more of the said stock shall be subscribed, and

To procure subscriptions of stock.

five dollars on each share paid to said commissioners, the said commissioners, or a majority of them, shall certify the same, under oath or affirmation, to the Governor, whereupon the Governor shall, by letters patent, under his hand and the seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then those also who shall thereafter subscribe to the number of ten thousand shares, of fifty dollars each, making the whole capital stock of five hundred thousand dollars, into a body politic and corporate, in deed and in law, by the name, style and title of "The Beaver and Conneaut railroad company."

Letters
patent.

Capital stock,
10,000 shares
at \$50 each.
Name, style
& title.

SECTION 32. The president, managers and company of the said railroad company, shall have power to survey, lay down, ascertain, mark and fix such route as they shall deem expedient, for a double or single railroad, beginning at or near the mouth of Big Beaver creek, in Beaver county, to a point on the Ohio state line, to connect with the Conneaut and Beaver railroad, incorporated by the legislature of Ohio, the point of connection to be determined by a majority of the commissioners of the two companies, having due regard to the situation or nature of the ground, and of the buildings thereon, the public convenience, and the interest of the stockholders, and so to do the least damage to private property; and the said road shall not pass through any burying ground, nor place of public worship: *Provided*, That the location of the said railroad be approved of by the board of Canal Commissioners of Pennsylvania, before the said company commence the construction of the same.

Power of the
president &
managers to
fix the route.

To connect
with the Con-
neaut & Bea-
ver railroad
comp'y, Ohio.

Proviso.

SECTION 33. The said company shall be, and is hereby authorized and empowered to lay a single or double tract of rails on said road, and occupy said road exclusively as a railroad, and shall permit any person or persons to occupy and use the said road, in such manner, and under such restrictions as the said company shall establish and direct, and the said company shall have like powers, authority and privileges, necessary for carrying on and completing said railroad, and be subject to all duties, qualifications, restrictions, penalties, fines and forfeitures, as are given and granted to the president, and managers, and company incorporated for the purpose of making a railroad from Reading and Brandywine, passed on the thirteenth day of January, one thousand eight hundred and thirty-six.

Powers and
privileges;
also, duties
and restric-
tions.

SECTION 34. When a good and sufficient railroad shall be completed, agreeably to the provisions of this act, the property of the said railroad shall be vested in the said president, directors and company, and their successors, for and during the term of thirty-five years, to commence from the time when the said railroad shall be fully and completely finished; and at the expiration of thirty-five years, or at any time there-

Common'th.
may pur-
chase the
railroad at
the expira-
tion of 35 yrs.
after its com-
pletion.

after, it shall be lawful for the commonwealth to purchase the said railroad from the said company, by paying to the said company the original costs expended in the construction thereof, together with six per cent. interest per annum thereon, deducting from the sum of principal and interest aforesaid, the dividends before declared by the said company on the capital stock; and on the payment thereof by the commonwealth to the said company, in such manner and form as shall be agreed upon by the said company and agents, duly authorized by the said commonwealth, all and singular, the railroad aforesaid, with its appurtenances, shall be vested in the commonwealth.

SECTION 35. That either the state of Pennsylvania, or any railroad company incorporated, or that may be incorporated by this state, shall be allowed to intersect the said Beaver and Conneaut railroad company, at any point within this state, by railroad or railroads, constructed either by the state, or company or companies incorporated as aforesaid, and occupy the said road, upon the same terms as the same is occupied by the Beaver and Conneaut railroad company.

SECTION 36. The time allowed for opening the books and commencing the work of the Adams county railroad, shall be extended to three years, and for completing the same, seven years from the passage of this act.

NER MIDDLESWARTH,
Speaker of the House of Representatives.
THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The thirty-first day of March, A. D. eighteen hundred and thirty-six.

JOS: RITNER.

No. 85.

An Act

To authorize the Governor to incorporate a company to make a lock navigation on the river Monongahela.

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*