

## No. 168.

## A SUPPLEMENT

To an act entitled, "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 authority of the same, That any defect or irregularity in the proceedings of the commissioners appointed by the act, entitled, "An act to authorize the governor to incorporate a company to make a lock navigation on the river Monongahela, passed the thirty-first day of March, one thousand eight hundred and thirty-six," in taking subscription to and organizing the said company, and any defect or irregularity in the proceedings of the board of managers of said company, in organizing and conducting the affairs of the same, so far as the said defect or irregularity may have proceeded from the neglect or omission of the said commissioners and board of managers, fully to comply with the requisitions of the proviso to the first section of said act, shall be and the same are hereby remedied and supplied; and the acts and proceedings of the said commissioners and board of managers, which were in contravention of the said proviso shall be and are hereby declared valid and legal, as if the same had been fully complied with.*

*SECTION 2. The name, style and title of the said company shall, from and after the passage of this act, be, the "Monongahela navigation company."*

*SECTION 3. At all elections held by the stockholders, every person holding ten or any less number of shares, shall be entitled to one vote for every share so held; and one vote for every additional ten shares. Provided, That no number of shares shall entitle the holder thereof to more than twenty votes. And so much of the proviso in the fourth section of the aforesaid act, as conflicts with this section shall be and is hereby repealed*

*SECTION 4. The said company shall be permitted to erect such dams, as may be necessary for the construction of the said navigation, below Brownsville, to a height not exceeding eight feet from pool to pool. In selecting persons to assess damages occasioned by the construction of said navigation, no person shall be chosen who is a resident of any county*

Defects, &c.,  
in proceedings  
of com'rs, &c  
to make lock  
navigation on  
the river Mo-  
nongahela,  
remedied and  
supplied

Name, style,  
and title

Ratio of votes

Proviso

Authority to  
erect dams,  
&c.

Who may be  
selected to as-  
sess damages

through which the said improvement shall pass. *Provided, Proviso*  
That all the locks below the town of Elizabeth, in Allegheny  
county, on said river, be made one hundred and ninety feet *Size of locks*  
long and fifty feet wide, and that all the locks below the town  
of Brownsville, shall be of like dimensions.

SECTION 5. When the said navigation or any portion *Of tolls*  
thereof shall be completed, the president and managers shall  
be entitled to receive such rates of toll per mile, at their dis-  
cretion, as may be just and reasonable, subject, however, to  
the control and regulation of the legislature, if at any time  
complaint should be made to the same. *Provided always, Proviso*  
That the net dividends on said stock shall not exceed twelve *Of dividends,*  
per cent per annum, and the said company shall not be com-  
pelled to permit any boat or craft, except such as shall be  
hereinafter provided for, to pass toll free, unless the dividends  
amount to twelve per cent per annum.

SECTION 6. The penalty inflicted on said company by *Penalty for*  
the eleventh section of said act, for detention in passing the *detention reg-*  
locks or sluices, shall not be imposed unless occasioned by *ulated*  
malice or culpable negligence, on the part of the said com-  
pany, its officers or agents.

SECTION 7. The said company shall be permitted to set  
apart, as a contingent fund for the purpose of defraying the *Contingent*  
expenses of extraordinary repairs, or other unforeseen expen- *funds may be*  
ditures to which said company may become liable, the *set apart*  
sum of twenty per cent of their tolls, interest, rents or profits,  
annually, until the said contingent fund shall amount to fifty  
thousand dollars, but, in the annual abstract of its accounts  
laid before the legislature, the amount of such contingent fund  
shall be fully set forth.

SECTION 8. In case the commonwealth should at any *In case com-*  
time purchase the improvement, made in pursuance of this act *monwealth*  
and the act to which this is a supplement, then the common- *should pur-*  
wealth shall pay to the company such sum or sums of money, *chase, &c.*  
as, together with the net dividends, shall amount to the  
expense incurred in constructing said improvements and  
keeping it in repair, with eight per cent per annum interest  
thereon.

SECTION 9. The limitation of six months for the com- *Of limitation*  
mencement of action, as prescribed in the nineteenth section *of action*  
of the original act, is hereby extended to one year.

SECTION 10. The Monongahela navigation company,  
shall have privilege to purchase and hold such lands as may *Right to pur-*  
be necessary to the full use and enjoyment of the water right *chase lands*  
secured to them by the original act.

SECTION 11. The time for obtaining a charter or grant *Time to ob-*  
from the state of Virginia, in relation to this improvement, is *tain grant*  
hereby extended to the thirty-first day of March, one thous- *from Virginia*  
and eight hundred and forty-two. *extended*

Repeal of certain sections of former act

SECTION 12. The sixteenth section, together with such other portions of the act to which this is a supplement as are hereby altered and supplied, shall be and are from henceforth repealed.

Right of legislature to alter, &c.

SECTION 13. The legislature reserves the right to alter, amend or annul the charter of said company, at any time hereafter, in such manner however that no injustice shall be done to the corporators.

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—This twenty-fourth day of June, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 169.

## AN ACT

To authorize and empower the trustees of the Methodist Episcopal Church, in Perrysville, Mifflin county, to convey certain real estate, and for other purposes.

Methodist church at Perrysville, authorized to convey lot of ground

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 trustees of the methodist episcopal church, at Perrysville, Mifflin county, be, and they are hereby authorized and empowered to convey a certain lot of ground, with the appurtenances, to Abraham Kenegy, situate in Armagh township, Mifflin county, and to assure by deed, to the said Abraham Kenegy, all the right, title, interest, and claim in law, or otherwise, of the said methodist episcopal church, or the trustees thereof.

At Granville, authorized to sell lot.

SECTION 2. That the trustees of the methodist episcopal church, in Granville township, Mifflin county, be, and they are hereby authorized and empowered to sell, either publicly or privately, for such price as may be agreed upon, and to convey and assure, to the purchaser or purchasers, a certain lot or piece of ground, situate in the township and county, aforesaid, with the appurtenances, to have, and hold the same, to the same, or for such estate, as the said methodist episcopal church or trustees, have therein.