

fect enjoyment thereof, unless the same be commenced within five years from the passage of this act.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The seventh day of May, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 134.]

A FURTHER SUPPLEMENT

To the act entitled "An act to Incorporate the Marietta, Bainbridge, Falmouth and Portsmouth 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 in addition to the privileges and power heretofore granted by the Commonwealth to the Marietta, Bainbridge, Falmouth and Portsmouth road company, by the act of April fifth, one thousand eight hundred and thirty, entitled, "An act to incorporate the Marietta, Bainbridge, Falmouth and Portsmouth turnpike road company," and the supplement to the same, entitled, "a further supplement to the act entitled an act incorporating the Marietta, Bainbridge, Falmouth and Portsmouth turnpike road company," the president and managers thereof are hereby authorized and empowered to extend the same railroad from the eastern end of the borough of Marietta to the canal basin at Columbia, and shall have full authority and privilege under the supervision and direction of the canal commissioners, there to unite the said extension of railroad with the Columbia and Philadelphia railroad.

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road company
empowered to
extend road

SECTION 2. That in extending the said railroad from Marietta to Columbia, and also in the event of extending the same from the contemplated point of extension with the Portsmouth and Harrisburg railroad to Harrisburg, which extension the said company is hereby authorized to make, if such junction cannot be made with the consent of the Portsmouth and Lancaster railroad, the said company shall have like powers, authority and privileges granted to them, and shall be subject to the same restrictions, penalties, fines and forfeitures as are

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contained in the second section of the before mentioned supplement.

SECTION 3. That the Commonwealth shall have the privilege of purchasing the aforesaid road, together with the extensions hereby authorized, at any time when a law shall be passed authorizing the Governor, canal commissioners or other agents, duly authorized to make such purchase, upon the same terms and conditions that are set forth in the third section of the said last recited supplement, and so much of said section as relates to the time when the Commonwealth may purchase said road, is hereby repealed.

SECTION 4. That the said company is hereby authorized to increase their capital by creating and selling new shares of stock to such an amount as they may deem necessary to meet their expenditures in the construction of the aforesaid extensions, and shall complete the said road with a double track of iron T rails, or with such other iron rails as may be approved by the president of the board of canal commissioners, for the time being, and duly certified to the Governor.

SECTION 5. The time for completing the said road shall be extended to the term of five years from and after the passage of this act, and the title of the said company shall be and is hereby changed from that known in its original charter, and also from that given to it by the supplement to the act of incorporation, passed April fourth, one thousand eight hundred and thirty-seven, and shall hereafter be known and recognised, in law, by the name, style and title of the "Columbia, Marietta and Portsmouth railroad company."

SECTION 6. The company shall not prevent any person or persons being the owner or owners of land bordering on the said railroad, or adjacent thereto, from making such lateral railroads and from connecting them with the said railroad from their said lands, as the said person or persons may conceive to be necessary for the purpose of transporting merchandise, stone, lumber, produce or coal upon the said railroad: *Provided*, That such connections shall be constructed at such places and in such manner as shall be approved of by the president of the board of directors and the engineer of said company: *Provided further*, That such lateral railroad and connexions shall be subject to such rules and regulations as may be established by the president and managers for the government thereof: *And provided*, That nothing in this act contained shall be construed to take away any right which may be vested in the Harrisburg, Portsmouth, Mountjoy and Lancaster railroad company: *Provided further*, That this act shall not take effect for two years from the first day of June next; and if, in the mean time, the Harrisburg, Portsmouth, Mountjoy and Lancaster railroad company shall remove the flat bars now on said road and substitute therefor

iron T rails, for the distance of ten miles, within one year from Harrisburg, the first day of June next, and on the remaining distance of Portsmouth, said road within two years from the first day of June afore- Mountjoy and said, then this act shall not go into operation; but all the Lancaster rights, franchises and privileges hereby granted shall cease, and determine as effectually as if this act had not been passed. railroad

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate

APPROVED—This seventh day of May, A. D. eighteen hundred and forty-one.

DAVID R. PORTER.

[No. 135.]

A N A C T

To Incorporate the trustees of the township of Huntington, in the county of Luzerne, and for other purposes.

WHEREAS the original proprietors of the township of Huntington, one of the seventeen townships, in the county of Luzerne, surveyed and laid out certain lots of land in said township, and appropriated the same for schooling purposes of the said township, and since the year one thousand eight hundred and ——— committees have been appointed by the resident propeirtors of said township, to take care of and lease or sell said lots of land: *And whereas*, the commissioners appointed under the act offering compensations to Pennsylvania claimants, passed the fourth day of April, seventeen hundred and ninety-nine, and the supplements thereto, issued certificates to the committees for the time being for the said lots in trust for the use of the proprietors of said township, and the said committees have from time to time sold and conveyed the greater part of said lots, reserving the proceeds thereof, for the purposes of education in said township, but in as much as the said committee were not vested with the legal titles, the sales and conveyances made by them, are invalid: *And whereas*, the debts due the respective proprietors, have increased to a considerable amount, and cannot be recovered unless an act of incorporation be granted to the said proprietors, they have therefore prayed that the sales and conveyances made by the said committees, may be confirmed, and that an act of incorporation may be granted by the legislature. Therefore,

Preamble