

[No. 71.]

A FURTHER SUPPLEMENT

To an act, entitled " An Act to incorporate the Hazleton 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 board of directors of the Hazleton coal company, in addition to the amount they now owe, to borrow from time to time any sum

Authority to
borrow money

*or sums of money, not in the whole exceeding one hundred and fifty thousand dollars, to enable them to complete and repair their works, and to carry on their business, and to secure the payment of the certificates to be given therefor, and all other claims against said company, to execute a mortgage or mortgages on their mines, railroad or other property, and on the tolls, rents, issues and profits accruing therefrom, or any portion or portions thereof; and that in case of a sale under said mortgage or mortgages, the purchaser or purchasers shall have and enjoy the same corporate privileges, and the same rights in the mortgaged portion or portions of the said mines and railroad, and in the collection of tolls, as the said Hazleton coal company now have, and shall be authorized to organize and continue the corporation, by the division of their capital into shares, and by the election of managers and officers in like manner; and if the mortgage or mortgages shall so stipulate the said Hazleton coal company may continue in the possession and management of the mortgaged property, as well personal, as real, without prejudice to the security of the mortgage thereon: *Provided*, That no dividends of profits shall be made to the stockholders of the Hazleton coal company, while any loan which may have fallen due shall after demand remain unpaid: *And provided also*, That all profits arising from the business of the said company, after paying the expenses thereof, and of the completion and repairs of the works, including debts incurred therefor and actually due, shall be applied in the first place to payment of the interest on all loans of the company, and then to the payment of the principal of all loans and other debts, which for the time being shall be due and unpaid: *Provided however*, That nothing herein contained shall be construed to authorize the said company to issue any certificate of loan, transferable by delivery, or of less amount than fifty dollars.*

Mortgage

Proviso

SECTION 2. All mortgages executed and acknowledged under the provisions of this act, shall be recorded in the recorder's office of the counties of Luzerne and Carbon, within thirty days after such acknowledgment, and such recording shall be as good and effectual in law, to all intents and purposes, as if the same had been recorded in all the counties in which the said mortgaged property may be situated; and all legal proceedings had upon said mortgages, shall be instituted in the court of common pleas of Luzerne and Carbon counties, whose judgment and final process shall be as effectual as if all the property was situated in said county, and no proceeding shall be had on any such mortgage, until the expiration of ten years from the date thereof, and in all cases of sale on any such mortgage, the proceeds thereof shall be applied pro rata to the payment of all debts of said company, of every description whatsoever: *Provided*, That nothing herein contained shall be construed to impair the obligations or liabilities of said company, under or by virtue of any pre-existing judgment or mortgages. Record of mortgages
Proviso

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The fourth day of April, eighteen hundred and forty-three.

DAVID R. PORTER.

[No. 72.]

AN ACT

To authorize the sale and conveyance of certain real estate, 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 Philip Voneida, Michael Diefenderfer, Jesse Pennebecker and David Markley, trustees of the four United Congregations of Presbyterians or Reformed churches in Lancaster county, be and they are hereby authorized and empowered to sell and convey by deed or deeds in Lancaster co
Trustees of
certain
churches to
sell real es-
tate