

No. 531.

AN ACT

To authorize the consolidation of the York and Maryland Line Railroad Company, the York and Cumberland Railroad Company, and the Susquehanna Railroad Company with each other and with the Baltimore and Susquehanna Railroad Company of the State of Maryland, into one Company, to be called the Northern Central Railway 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 and may be lawful for the stockholders of the York and Maryland line railroad company, the York and Cumberland railroad company, and the Susquehanna railroad company, upon their severally expressing their assent to and accepting this act, to unite and consolidate their several companies with each other and with the Baltimore and Susquehanna railroad company, in Maryland, so as to form and constitute one company or corporation, to be known by the name of the Northern Central Railway company, which union or consolidation shall be made on such terms and conditions, and conformably to such regulations and agreements as the said several companies shall respectively determine and adopt, subject, nevertheless, to the following general provisions: *Provided*, That no bond shall be issued by said company for a less sum than one hundred dollars.

Consolidation authorized.

Proviso.

First, That all existing contracts, engagements and liabilities of each of the said companies shall continue to bind them, respectively, and their property and effects, as fully as before they shall have become consolidated into one company, or that such contracts, engagements and liabilities shall be duly adopted and assumed by the consolidated company, in such manner and to such extent as shall be satisfactory to all parties having an interest in the same.

Existing contracts.

Second, That all acts of the General Assembly of Pennsylvania heretofore made, and not repealed or modified, relating to either of the said companies, shall be binding upon the said consolidated company, so far as its property or its operations may be within the jurisdiction of this State, and so far as the same may be applicable to and consistent with the new organization of the said consolidated company.

Acts of General Assembly.

Third, That the said consolidated company shall have power, from time to time, to establish its capital stock, at an amount not exceeding eight millions of dollars, and shall also be authorized to issue its bonds and to secure the same by one or more mortgages, for any such amount as it may find necessary for paying off any existing debt or engagement of the company completing the road to Sunbury, stocking the road, laying a double track on the same or any part thereof, and for extending the road to tide-water, and for constructing such docks or other fixtures as may from time to time be found necessary.

Capital stock.

Fourth, That the said consolidated company shall be subject to the provisions of the act passed February nineteenth, one thousand eight hundred and forty-nine, entitled "An Act regu-

Subject to provisions of certain act.

lating railroad companies," except so far as the same may be necessarily modified by the conditions requisite to bring the organization of the consolidated company into conformity with the existing laws heretofore enacted in reference to the several companies, and also with reference to the legislation of the State of Maryland touching the same, and except so far also as the same may be repealed by this act. That the said consolidated company shall annually elect, at such time and place and upon such notice thereof, not less than two weeks before said election, given in the public newspapers, as the by-laws of said company shall require, and appoint twelve directors for the management and direction of the officers of the company, who, together with said additional directors as may be authorized and required by the State of Maryland and the city of Baltimore, shall constitute the board for the management of the affairs of the company, which board shall annually elect a president to preside over the affairs of said company, and a majority of which board shall constitute a quorum: *Provided*, That the State of Maryland and the city of Baltimore shall neither have, at any time, more than two directors each in said board, and that the Susquehanna railroad company be and they are hereby authorized to extend the road, from any point near its eastern terminus, so as to connect with any railroad leading towards Philadelphia, as fully as the Sunbury and Erie railroad company is authorized by existing laws so to do.

Proviso.

When act to take effect.

SECTION 2. That this act shall take effect whenever and as soon as the said companies hereinbefore referred to, shall have agreed to consolidate their several companies into one, and shall have settled, determined and agreed upon the terms and conditions of such consolidation in conformity with the provisions of this act, and shall make a full record and report thereof, certified by the president of said consolidated company, and have transmitted the same to the Governor of this Commonwealth: *Provided*, That nothing contained in this act shall be construed to release any of the companies named in the preceeding section, from the tonnage tax now imposed upon them by the laws of this Commonwealth: *Provided*, That there shall be no discrimination by the said consolidated company, from any point of their road in favor of travel or tonnage passing to or from the city of Baltimore, to the disadvantage of trade and travel passing to or from the city of Philadelphia, under the penalty of forfeiting the privileges conferred by this act: *Provided*, That no less amount shall be charged for motive power or transportation between Baltimore and any station on the consolidated road, north of York and south of Bridgeport, than may be charged between Baltimore and York: *And provided further*, That no change of the railroad through the borough of York shall be made without the consent of the burgesses of said borough, and that no further restrictions shall be enacted by the burgess than those at present in existence.

Proviso.

Powers in case of a failure to consolidate.

SECTION 3. That in case of the several companies named in the first section of this act, fail to agree upon the terms of the consolidation therein authorized, then and in that case it shall and may be lawful for the stockholders of the Susquehanna railroad company, and the stockholders of the Sunbury and Erie railroad company, to unite and consolidate the said Susquehanna railroad company with the Sunbury and Erie railroad company, upon such terms and conditions as may be agreed upon between

the companies, and the consolidated company shall be entitled to all the powers and privileges, and subject to all the provisions and restrictions not inconsistent with this and the subsequent section of this act, which are contained in the proper acts of incorporation, and the supplements thereto of said companies, and in the event of said consolidation, the Sunbury and Erie railroad company shall assume and be held responsible for all debts and contracts which may have been entered into by either of said companies so consolidated, and thereafter the consolidated company shall be governed by one president and twelve directors, to be elected at such time and in such manner as shall be mutually agreed upon between the companies so consolidated.

SECTION 4. That in case of the consolidation of the Susquehanna railroad company with the Sunbury and Erie company, it shall and may be lawful for the consolidated company to sell and convey that portion of the Susquehanna railroad lying south of the town of Dauphin, to the York and Cumberland railroad company, upon such equitable terms as may be mutually agreed upon, but in no case at a higher price than the amount expended on said portion of said Susquehanna railroad, and the said York and Cumberland railroad company is hereby authorized to purchase, hold and enjoy the same, and to extend their road from its present terminus to the town of Dauphin aforesaid.

Authority to sell property.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The third day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 532.

AN ACT

Explanatory of an act to authorize the consolidation of the York and Maryland Line Railroad Company, the York and Cumberland Railroad Company, and the Susquehanna Railroad Company with each other, and with the Baltimore and Susquehanna Railroad Company, of the State of Maryland, into one company, to be called the Northern Central Railway 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 nothing contained in the last proviso of the first section of an act entitled "An act to authorize the consolidation of the York and Maryland line railroad company, the York and Cumberland railroad company, and the Susquehanna railroad company with each other, and the Baltimore and Susquehanna railroad com-*