

Notice to be given
in writing.

SECTION 8. That before exercising any of the rights and immunities hereby granted to the Cleveland, Painesville and Ashtabula railroad company and to the Sunbury and Erie railroad company, respectively, either company shall give to the other notice in writing under their respective corporate seals, that they accept this act and agree to become bound by all the provisions and conditions therein contained, and immediately upon either of said companies giving such notice to the other, then such company shall forthwith be and become entitled to all the benefits, rights, privileges and immunities granted by this act, subject however to the performance of the terms, provisions and conditions therein contained.

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

M. M'CASLIN,
Speaker of the Senate.

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

WM. BIGLER.

No. 583.

AN ACT

Supplementary to an act Incorporating the Pittsburgh and Erie Railroad company.

Transfer of rights
and privileges.

Proviso.

Proviso.

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 Pittsburgh and Erie railroad company be and they are hereby authorized to transfer to the Ohio and Pennsylvania railroad company, all the rights, privileges and franchises of the said Pittsburgh and Erie railroad company south and eastward from the town of New Castle, in Lawrence county, and to transfer to the said Ohio and Pennsylvania railroad company, the subscription made by Lawrence county to the capital stock of said Pittsburgh and Erie railroad company, together with the bonds issued by said county in payment of said subscription, and the said county shall be entitled to the same rights and privileges as other stockholders in said Ohio and Pennsylvania railroad company, in proportion to the amount of stock held: *Provided,* That the said Ohio and Pennsylvania railroad company shall construct a branch road from the main line of said Ohio and Pennsylvania railroad to the town of New Castle, and shall lay additional track or tracks from the south end of said branch to the city of Pittsburgh, so soon as the business on said branch road shall require: *Provided further,* That nothing in this act shall in any way interfere with or prevent the construction of

the line of the Cleveland and Pittsburgh railroad, as surveyed and located by said company, from Rochester, in Beaver county, to the city of Pittsburgh, December fourteenth, one thousand eight hundred and fifty-three: *Provided, further*, That said line shall not be nearer the centre of the first located track of the Ohio and Pennsylvania railroad than fifty feet, nor interfere with the necessary depot grounds now possessed, or which may hereafter be possessed by the said Ohio and Pennsylvania railroad company on any part of their line, except along the narrows of the Ohio river between Rochester and Pittsburgh.

SECTION 2. That the Pittsburgh and Erie railroad company is hereby authorized to borrow money and to issue their bonds for the same in sums of not less than one hundred dollars each, at such rates of interest, not exceeding seven per centum, and upon such terms as may be determined upon by the board of directors of said company, and to secure the payment of said bonds by executing and delivering to such trustee or trustees as they may select, a mortgage or mortgages of all or any part of their estate, real, personal, rights, liberties and franchises; and further, if they think proper, to make the said bonds convertible into stock at par. Authority to borrow money.

SECTION 3. That the Pittsburgh and Erie railroad company is hereby authorized to connect their road with any other railroad within any of the counties through which said road shall pass, now incorporated or hereafter to be incorporated, and make such running arrangement with the same as they shall deem expedient and advantageous to the interest of said company: *Provided*, That the said running arrangements referred to in this section shall not, except as hereinbefore provided, comprehend a sale and purchase of the franchises or a temporary transfer of the management, control or requirements given and imposed on any other railroad company claiming a charter under the laws of the Commonwealth. Connections authorized.

SECTION 4. That the charter of the Pittsburgh and Erie railroad company is hereby revived and renewed, and the time for completing the road is hereby extended to the twentieth day of April, one thousand eight hundred and fifty-nine: *Provided*, That the said company shall not construct any branch of their road eastwardly from the city of Erie: *And provided further*, That the Pittsburgh and Erie railroad company shall not be allowed to connect their road, or any branch thereof, in the county of Erie, with any road running west of the State line of Pennsylvania, except with the road of the Cleveland, Painesville and Ashtabula railroad company, conditioned that the last named company carry all freight and passengers of the Pittsburgh and Erie railroad over all or any portion of their road, at the same rates charged by the Pittsburgh and Erie railroad company, and the said Pittsburgh and Erie railroad company, in like manner, being required to carry freight and passengers passing from the Cleveland, Painesville and Ashtabula railroad over their road, at the same rates charged on the Cleveland, Painesville and Ashtabula railroad by said company. Charter of Pittsburgh and Erie railroad revived.

SECTION 5. That whenever it may become necessary or expedient for the said railroad company, in the construction or extension of its road, to pass over any land, the owner or owners of which are unknown, or are residing out of this Commonwealth, or where the rights, tenures or ownership of said land is not clearly defined, or cannot be ascertained, or where the Duties of company in regard to passing over land owned by persons residing out of this Commonwealth.]

same still belongs to the Commonwealth, or has been dedicated by law to any public use whatever, except to grave yards, cemeteries, or for the construction of public or private buildings, or where the same does not partake of the exact nature of a freehold or fee simple title, or where injury is likely to be done to an incorporeal hereditament, it shall be the duty of the officers of said company to cause accurate surveys of such proposed location or extension to be made, and file the same in the prothonotary's office of the proper county, and give public notice in at least one newspaper in the city of Philadelphia, and also in at least one newspaper in the county where the land lies, of the intention to enter upon and appropriate such land to the use of said company; and after such notice, it shall be lawful for said company to enter upon, or take possession of so much of said land as is required for the location of its road, without giving security for the payment of damages, unless a claim for such security shall be made within two years after such publication; and the proceedings for assessing and ascertaining the damages when demanded, and all other matters and things in regard thereto, and the location of the road, shall conform to the general provisions of the charter of said company, or of the act regulating railroad companies: *Provided*, That the number of jurors for assessing damages shall be five, instead of twenty, as named in the twelfth section of the act to which this is a supplement.

Proviso

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

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

WM. BIGLER.

No. 584.

AN ACT

To vacate parts of Rabbit and Meeting-House Lanes in Blockley township, Philadelphia county.

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 portion of Meeting-House lane extending from the West Chester road or Market street continued, southwardly to the south line of Old Marshall road as now vacated or not used, and the portion of Rabbit lane included between the said Meeting-House lane and the intersection of it, the said Rabbit lane with Marshall road as continued to be used in the township of Blockley, in the county of Philadelphia, be and the same are hereby vacated, and*