

No. 105.

AN ACT

Relative to rail roads in the county of Philadelphia, and for other purposes.

SECT. 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 fifth section of the act passed the fifth day of May, A. D. eighteen hundred and thirty-two, entitled "A further supplement to an act entitled, An act to appoint commissioners to regulate the streets, lanes and alleys in the district of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned through the said district and parts of the townships of Moyamensing and Passyunk, passed the twenty-ninth day of September, one thousand seven hundred and eighty-seven," which authorizes a guarantee to the Southwark rail road company, be and the same is hereby repealed.

5th sect. of act of 5th May, 1832, repealed.

Portion of act of 3d April, 1832, repealed.

SECT. 2. *And be it further enacted by the authority aforesaid,* That so much of the act entitled, "An act to incorporate the Northern Liberties and Penn Township rail road company," passed the third day of April, eighteen hundred and thirty-two, as prohibits said company from constructing said rail road on the surface of streets, be and the same is hereby repealed, and that the said company shall have the right to construct their road on such street or streets, and by such route in said township and district, as may be found convenient, beginning at the river Schuylkill, at the public landing north of Coates street, and terminating at the river Delaware, at or near Willow street, in the Northern Liberties: *Provided,* That the said rail road shall not be constructed on that part of any street or streets intended for a market house, and that said company shall have the same privileges and immunities, be subject to the same restrictions, and may charge the same rate of tolls, as the Southwark rail road company: *Provided also,* That the said rail road shall not be carried through the property of the city of Philadelphia, at Fairmount, without the consent of the select and common councils of the said city, nor through the property of the Lehigh Coal and Navigation company, without the consent of the said company first had and obtained.

Proviso. Rail-road not to interfere with streets intended for market-houses. Of the tolls, &c. 2d proviso. Not to pass through city or Lehigh property without consent.

SAM'L. ANDERSON,
Speaker of the House of Representatives.

THO'S. RINGLAND,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini, eighteen hundred and thirty-three.

GEO. WOLF.