

No. 135.

A SUPPLEMENT

To an act, entitled "An Act to authorize the construction of a bridge to connect Fort Mifflin with the main land, and for other purposes," passed the twentieth day of April, one thousand eight hundred and forty-four.

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 act to which this is a supplement be corrected and amended by substituting the words "Mud Island," in place of the words "Tinicum Mud Island. Island," in the first section of the said act, and that the said act be always taken and construed as though the said error had not been made.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The twentieth day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 136.

A FURTHER SUPPLEMENT

To "An Act to incorporate the Mount Carbon railroad 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 the president and managers of the said Mount Carbon railroad company be and they are hereby authorized, after paying all repairs and other necessary expenses, to expend the tolls and profits heretofore received or hereafter to be received by the said company, in re-laying the railroad of said company with iron rails, and in making such improvements of, or upon the said railroad, as they may deem expedient; and the amount of all tolls and profits, after paying such repairs and expenses which have been heretofore or may be hereafter expended for the purposes aforesaid, or like purposes, shall be deemed and taken to be so much capital stock paid in by the existing stockholders; and they shall be entitled to receive certificates of the capital stock of the said company for the same amount at par, to be divided among them pro rata, in

proportion to the number of shares held by each at the time of issuing such certificates.

Tolls.

SECTION 2. That from and after the passage of this act, it shall be lawful for the said company to charge and receive toll for all goods, wares and merchandize, coal, iron ore, limestone, minerals, lumber, and all other articles carried or transported on their said railroad, at the rate of three cents per ton of twenty-two hundred and forty pounds per mile, and no more : *Provided*, That all distances within one mile of the junction of this road with the Philadelphia and Reading railway, shall be rated as one mile in all charges authorized by this act. That the said company may charge one cent per ton for registering and furnishing, to all persons interested, certified accounts of the weight, by said company's weigh scales, of all coal passing over said road : *Provided*, That no toll shall be charged on empty cars going for loads, or returning from whence they have been unloaded : *And provided further*, That no charge for toll or weighing, heretofore made or received by said company, shall be deemed to work a forfeiture of its charter : *Provided*, That nothing herein contained shall be construed to effect the right of any person or persons, who may have paid illegal and excessive tolls to said company, from prosecuting his or their proper action to recover back the excess above the amount which said company had a right by law to charge.

Proviso.

Weighing.

Termination.

SECTION 3. That the said company shall be under no obligation to extend the said railroad below its present termination, at its junction with the Philadelphia and Reading railroad at Mount Carbon, nor to extend the west branch thereof higher up the west branch of the Norwegian creek, or in the direction thereof, than its present termination at the south side of the Mine hill.

Certificates.

SECTION 4. That it shall not be necessary for the said company to issue a separate certificate for each share of the stock thereof, but one certificate may be issued for any number of shares held by one person, co-partnership, body politic or corporate, unless otherwise required by the owner or owners thereof. All elections of treasurer and secretary of said company, shall hereafter be made by the votes of a majority of the president and managers, either from their own body, or otherwise ; and the said offices may be held by one person, if so deemed expedient by the said president and managers.

Dividends.

SECTION 5. That so much of the act incorporating the said Mount Carbon railroad company, as authorizes the said company to increase the rates of toll to enable it to make certain rates of dividends, and that limits the rates of dividends, and all such acts or parts of any act relating to said company, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

Repeal.

SECTION 6. That if the said company shall at any time hereafter violate the provisions of their charter, as hereby amended, the legislature may at any time thereafter, resume and repeal all and singular the rights and privileges granted to the said company.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The twenty-first day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.