

No. 210.

AN ACT

Relative to the settlement of accounts of William Power, deceased, of Perry 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 auditor general of this commonwealth is hereby authorized and required to perform the duties authorized to be performed by the secretary of the land office, by the twenty-fifth section of the act of assembly, approved on the sixteenth day of April, one thousand eight hundred and thirty-eight, entitled "An Act to authorize the president judge of the district court of Allegheny county, to hold special courts in Fayette county, in certain cases, and for other purposes;" and by the tenth section of the act of assembly, approved the second day of July, eighteen hundred and thirty-nine, entitled "An Act relating to the claims of this commonwealth against the estate of John Nicholson and Peter Baynton."

FINDLEY PATTERSON,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

APPROVED—The seventh day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 211.

A SUPPLEMENT

To the act incorporating the Mill Creek and Mine Hill navigation and railroad company.

Alter railway.

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 Mill Creek and Mine Hill navigation and railroad company, to open, widen, and alter their railway, and extend the same across the river Schuylkill, to form a connection with the Mount Carbon and Port Carbon railroad, and that they may change the location and direction of the same, at any place between the points beginning and ending specified in their charter, including the present extension across the river Schuylkill, so that it shall not be more than

five rods wide, except at points for depots and engine stations, where it may be, if necessary, eight rods wide; that the said road may cross the river Schuylkill wherever the managers may deem it expedient, subject in all cases to the damages expressed in their charter: *Provided, That* Proviso. the said company shall keep up and in repair, for constant use, as a branch road, the old railroad leading to the landings on the river Schuylkill, from a point from where the road, authorized to be constructed by this act, will diverge from the present railroad, near the house of William Kiehner, in the town of Port Carbon.

SECTION 2. That the said company shall not be compelled to lay a Double track. double track, until the managers may think the business on said road will require it; but the widening and relaying of one track, with proper turn-outs, shall be completed within eighteen months from the passage of this act.

SECTION 3. That if the said company exclude horse power from said Locomotives. road, they shall transport the loaded cars of all persons by locomotive steam engines, receiving said cars at the uppermost point to which the locomotives shall travel, and deliver the same at the turn-out leading to the landings at Port Carbon, or at the junction of the Mill Creek and Mine Hill, and Mount Carbon and Port Carbon railroads, as the owners of said cars shall direct; and they shall charge for the motive power at a rate not exceeding two cents per ton per mile, on coal, and other minerals and fossils, and they shall return the empty cars without further charge.

SECTION 4. That all the rights, privileges and immunities, granted Privileges and immunities. to this company in their original charter, and in the several supplements thereto, from time to time enacted, be and the same are hereby revived, extended and confirmed.

SECTION 5. That so much of the act or acts incorporating the Mill Repeal. Creek and Mine Hill navigation and railroad company. and the several supplements thereto, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The seventh day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.