

sixty-three rods to the north side of North street, be and the same hereby is granted and set apart as a public common, and to be under the control and jurisdiction of the town council of said borough.

SECTION 7. 'That so much of any former law as is inconsistent with the provisions of this act, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 165.

A FURTHER SUPPLEMENT

To "An Act to incorporate the Howelton coal company," approved twenty-fourth of June, one thousand eight hundred and thirty-nine.

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 time for finishing the railroad provided for in said act, is hereby extended until the first day of January, eighteen hundred and forty-eight: *Time extended.* *Provided,* That the said company shall not charge a higher rate than *Proviso.* two cents per ton per mile on coal and merchandize passing over said road; and that whenever the net revenue from tolls shall exceed twelve per cent. on the cost of the construction of said road and its necessary maintenance, that said toll shall be reduced so as not to exceed twelve per cent. as aforesaid: *And provided further,* That nothing herein *Proviso.* contained shall be so construed to revive any coal or mining privileges that may have been forfeited or lost by said company.

SECTION 2. That said company may construct lateral road or roads *Lateral roads.* not exceeding two miles in length, so as to approach any coal mines in the vicinity of the main road.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.