

the provisions of this section, shall be deemed and taken to be illegal, and of no force or effect.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 281.

A FURTHER SUPPLEMENT

To the act, entitled “An Act to incorporate the Swatara and Good Spring Creek railroad company,” passed April second, Anno Domini one thousand eight hundred and thirty-one.

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 if the persons who shall have transported over the said Swatara railroad, more than one-half of the whole amount of coal which has during the year then last past, been transported over said road, shall present a requisition, duly signed by them, to the president and managers of said railroad company, expressing their desire that locomotives and tenders be placed upon said road, and if the president and managers of said company shall deem it expedient to use locomotive engines and tenders on the said railroad, or the branches or lateral railroads thereof constructed, or which may hereafter be constructed by said company, for the conveyance of coal, passengers, merchandize or other commodities, or to permit the same to be done by others, the said president and managers shall have authority so to do, and to make such regulations concerning the same, as may be necessary, with like penalties for any infraction thereof, and remedies for the recovery of the same, as are now or hereafter may be prescribed by law in regard to the use and regulation of the motive power on the railroads of this commonwealth, or of any of the incorporated companies thereof; the said company shall have the right to charge, for the use of the motive power provided by them or their agents, at a rate of not exceeding one and a-half cents per ton per mile on coal, two cents per ton per mile on merchandize and other commodities, and not exceeding three cents per mile for every passenger which may be conveyed by the motive power employed on the said railroad as aforesaid, exclusive of the tolls now chargeable; all tolls for fractions of a mile to be charged for a mile: *Provided*, nothing herein contained shall prevent the said company from discontinuing the use of said locomotive engines at any time after giving two months' public notice thereof: *Provided further*, be made for the haulage of the empty coal cars, and that the coal

To place motive power on said road.

Regulate motive power.

Tolls.

That Proviso.

Proviso.

operators may use their own cars, those of the Reading railroad company, the Schuylkill navigation company, or those of the Union canal company.

Authorized to
construct branch
railroads.

SECTION 2. The said company is hereby authorized to construct its railroad, or the branch railroads which it has made, or is hereby authorized to make, either with a single or double track, as the president and managers may deem expedient; and they are hereby authorized to construct branch railroads, not exceeding five miles in length, from the main line, to accommodate the owners of coal lands, subject to the same conditions and restrictions as are specified in their act of incorporation, and its several supplements; but such branch or lateral railroads shall not be made parallel to railroads already constructed, within a quarter of a mile of the same, nor cross such railroads upon a level, without the consent of the owners of such railroads; and the said company is hereby authorized to construct an inclined plane up Martin's run, and to connect the same with their road, and to charge not exceeding five cents per ton for the transportation of coal over said plane, making no charge for empty cars passing up the same; and the president and managers of the said company are hereby authorized, by and with the consent of the stockholders, to increase the capital stock to an amount not exceeding four thousand shares, in addition to the amount already authorized, at such times as they may deem expedient, and in the manner provided for in the first section of the act to which this is a further supplement.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 282.

SUPPLEMENT

To an act to authorize the governor to incorporate the Fishing Creek, Swatara and Schuylkill railroad company, approved the twenty-fifth 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 Fishing Creek, Swatara and Schuylkill railroad company shall have the privilege of constructing, using and enjoying such portion of their road as may be constructed lying from, and in the Fishing Creek gap, in the Sharp mountain, towards their place of terminus, whenever a connection can be or is formed with any other railroad or canal, and may