

No. 332.

A N A C T

To authorize a lateral railroad, from the Harrisburg furnace, to connect with the Pennsylvania railroad.

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 authority is hereby given to David R. Porter, his heirs or assigns, to lay down and maintain, at his own expense, a lateral railroad for his own use, from his present railroad at his furnace, on the north-east side of the canal basin, at Harrisburg, extending along the berme of said basin, and to connect with the Pennsylvania railroad at or near State street, with the right to construct and maintain a sufficient sideling along Canal street: *Provided,* The location and construction of the railroad hereby authorized, shall not in any manner interfere with or interrupt the business on the public improvements; and that the plan for which shall be first submitted to, and approved by, the board of canal commissioners and directors of the Pennsylvania railroad.

D. R. Porter, authorized to construct a lateral railroad from his furnace to the Pennsylvania railroad.

SECTION 2. That the connection hereby authorized, shall be made subject to the provisions of the seventeenth section of the act, passed thirteenth April, one thousand eight hundred and forty-six, entitled “An Act to incorporate the Pennsylvania railroad company.”

Connection regulated.

Damages to be paid.

SECTION 3. That if in the location and construction of the railroad hereby authorized, any damage shall be done to real estate, the owner may apply, by petition, to the court of quarter sessions of the peace of the county, whose duty it shall be to appoint three disinterested persons to view and assess whatever damages may have been sustained; which valuation made, under oath, by the viewers so appointed, or a majority of them, when approved by the court, shall be final and conclusive, and judgment shall be entered thereon; and if the amount shall not be paid, execution may issue, as in other cases of debt, for the sum so awarded, with the costs accruing thereon: *Provided,* That compensation shall be made to the owners of any private property taken for said road, or that adequate security therefor be given, before such property shall be taken for said use.

Protection of road and fixtures.

SECTION 4. That for the protection of said railroad, with its fixtures and appurtenances, all the provisions of the fifteenth and sixteenth sections of the act to incorporate the Pennsylvania railroad, passed the thirteenth April, one thousand eight hundred and forty-six, are hereby made applicable and extended to the present or any future owner of the railroad authorized by this act, as fully and effectually, as if the provisions were fully set forth and re-enacted hereby, giving to the owner or owners of the road hereby authorized, all the remedies given to the Pennsylvania railroad, by the said recited sections of their act of incorporation.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.