where the two roads diverge, one leading to Huntingdon and the other to Lewistown, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplement thereto.

Subject to provisions of certain act.

SECTION 2. That the capital stock of said company shall consist of four hundred and fifty shares, at fifty dollars each: *Provided*, That no greater number of shares shall be required than is necessary to make the said road.

Capital stock.

SECTION 3. That if the said company shall not commence the said road within six years, and complete the same within twelve years from the passage of this act, then it shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

Commencement and completion of road.

J. S. M'CALMONT,
Speaker of the House of Representatives.
V. BEST,
Speaker of the Senate.

APPROVED—The second day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 240.

AN ACT

To amend an act supplementary to an act, entitled "An Act to incorporate the Danville and Pottsville 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 proviso to the first section of an act, entitled "An Act supplementary to an act, entitled 'An Act to incorporate the Danville and Pottsville railroad company,' approved the eleventh day of April, one thousand eight hundred and forty-eight," be and the same is hereby amended so as to allow five years from the passage of this act, instead of the time limited in said section, for the completion of the said railroad with a single track, between its point of connection with the Mount Carbon railroad and the town of Sunbury: *Provided*, That the corporation constituted by the purchaser or purchasers of said railroad, his or their associates or assigns, be and they are hereby authorized at their option to substitute a connection with the Mill Creek railroad, or with the town of Port Carbon or the town of Pottsville, for that with the Mount Carbon railroad; and that the exemption conferred on the company in the second section of said act, and all the rights and privileges granted to said company in any previous act or acts of the legislature, be and the

Danville and Pottsville railroad, time for completion of, extended.

Proviso.

same are hereby granted and confirmed to the said company, as soon as the said railroad shall have been so far completed with a single track as to connect the towns of Sunbury and Pottsville, either directly or by means of a connection with any other railroad; and the said company are hereby authorized to sell and convey in fee simple such portion of the said road already graded, and other property of the company, as lies east of the point of such connection.

Toll.

SECTION 2. That the proviso to the third section of the said act, be and the same is hereby amended so as to read the average charges for toll and transportation, instead of the maximum charges.

Borrow money.

SECTION 3 That the corporation constituted by the purchaser or purchasers of the said railroad, or his or their associates and assigns, or the board of directors of the same, acting by its authority, be authorized to borrow such sums of money not exceeding in all five hundred thousand dollars, at any rate of interest not exceeding twelve per cent. per annum, which may be deemed expedient, and to make the principal of the said loan or loans convertible at the option of the holders, into stock of the company, on such terms as may be agreed upon; to make the interest and principal of the said loan or loans payable at such time or times as may be deemed advisable, and for the security of the said loan or loans, execute a deed of trust or mortgage on the railroad, and all other property of the company in possession, or to be acquired; and in its corporate rights and privileges in the event of a sale under such a deed of trust or mortgage, all of the property of the company conveyed in the said deed of trust or mortgage, and the corporate rights and privileges of the company, shall pass to the purchaser or purchasers free of all incumbrance on account of any lien or liability, subsequent to the execution of said deed of trust or mortgage and be vested in him or them.

Votes.

SECTION 4. That at all general meetings or elections by the stockholders of the corporation aforesaid, each share of stock shall entitle the holder to one vote.

Repeal.

SECTION 5. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The second day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.