

under the provisions of an act of Assembly passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine, entitled "An act relating to the elections of this Commonwealth," elect one person to fill the office of prothonotary, clerk of the court of general quarter sessions and oyer and terminer, and one person to fill the office of register of wills, recorder of deeds, and clerk of the orphans' court.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The sixth day of March, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 125.

A SUPPLEMENT

To an act entitled "An act to incorporate the Mercer and New Castle Railroad Company," approved the thirtieth of March, one thousand eight hundred and fifty-two.

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 Mercer and New Castle railroad company is hereby authorized to borrow money and to issue their bonds for the same, in sums of not less than one hundred dollars each, at such rates of interest and on such terms as may be determined by the board of directors of said company, and to secure the payment of said bonds, by executing and delivering to such trustee or trustees as they may select, a mortgage or mortgages of all or any part of their estate real personal, rights, liberties and franchises, and further, if they think proper to make said bonds convertible into stock at par, which stock they are hereby authorized to issue when required.

Mercer and New
Castle railroad
authorized to
borrow money.

SECTION 2. That the stockholders of said company shall here- after elect seven persons as directors of said company, one of whom shall be chosen by said directors president of said company, said president and a majority of said directors shall be citizens resident of this Commonwealth, and shall be owners respectively of at least three shares of the stock of said company, and the said stockholders are hereby authorized to hold a special election on the first Monday of May, A. D., one thousand eight hundred and fifty-four, for the purpose of electing said directors, who shall serve till the next annual election, and that the present board shall continue in office until the said seven directors are elected and no longer : *Provided,* That thirty days public notice be given prior to such election.

Election of directors.

SECTION 3. That hereafter all subscription of stocks to said company shall be good and valid, if the party or parties making the same shall at the time of subscribing pay for the use of said company, the sum of one dollar on each and every share subscribed.

Subscriptions
made valid.

Extension of time. SECTION 4. That the time for commencing the construction of said Mercer and New Castle railroad, be and the same is hereby extended to the first day of July, Anno Domini, one thousand eight hundred and fifty-nine.

Tonnage subject to a duty.

SECTION 5. That all tonnage of whatsoever kind or description, except the ordinary baggage of passengers, passing over said Mercer and New Castle railroad, shall be subject to a toll or duty for the use of the Commonwealth at the rate of three mills per mile for each ton or two thousand pounds, to be collected and paid into the treasury in the same manner and subject to the same provisions as are now in force in regard to the tax upon tonnage passing over the Pennsylvania railroad, and if the Venango Railroad company shall connect their railroad with the said Mercer and New Castle railroad, the tonnage passing over said Venango railroad shall be subject to the same rate of toll or tax and the manner of collecting the same, as is herein provided in regard to the Mercer and New Castle railroad, and the Legislature shall have the right at any hereafter, if said connections shall be formed by said railroad companies, to impose a tax upon all passengers passing over the same, at a rate not exceeding one one half cent per mile upon each passenger passing over the same or either of the said roads.

Connections.

Provide.

SECTION 6. That the said Mercer and New Castle railroad company, is hereby authorized to connect their railroad with any railroads in the State of Ohio coming to the State line westward of Mercer: *Provided*, That the main line shall be completed before said branches be constructed: *Provided*, That it shall not be lawful for it to connect with any railroad running or to run, northward or eastward of the route of the Sunbury and Erie railroad, and if the Venango railroad company shall connect with the first named railroad, it shall be taken as a binding agreement by said company that they shall not construct any branch or part of their railroad, or connect with any railroad northward or eastward of the route of the Sunbury and Erie railroad: *Provided further*, That said Mercer and New Castle railroad company shall not lease or mortgage its road to any railroad company not incorporated under the laws of this State, and have no other powers to run in connection with any other railroad, than are or may be authorized by the laws of this Commonwealth.

Certain connections prohibited.

SECTION 7. That the said Mercer and New Castle railroad company, shall not connect with any railroad company constructed in the State of Ohio at any point on the State line north of the north line of Mercer county.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The sixth day of March, A. D., one thousand eight hundred and fifty four.

WM. BIGLER.