

No. 235.

A FURTHER SUPPLEMENT

To an act, entitled "An act for the incorporation of the Pittsburgh, Kittanning and Warren 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 Allegheny Valley railroad company is hereby authorized and empowered to issue its bonds, convertible, at option of holder, into the stock of said company, to any amount not exceeding the capital stock, at a rate of interest not exceeding seven per centum per annum; and for the payment and security of said bonds, the said company is hereby authorized to execute a mortgage of the said road and franchises, for such period of time as may be agreed upon; the proceeds of said bonds to be applied to the construction of said road, without liability on part of holders of mortgage for correct application: *Provided*, That no bond shall be in a sum of less than one hundred dollars: *And provided further*, That hereafter at all meetings for the election of officers, and the transaction of other business, to be held by the stockholders of the Allegheny Valley railroad company, the several counties and cities which have, or may subscribe to the capital stock of said company, shall be entitled to one vote for every share of stock held or owned by such county or city; and any law inconsistent with this proviso, be and the same is hereby repealed.

Bonds.

Proviso.

Proviso.

SECTION 2. That said company is authorized to sell the said mortgage bonds, and other bonds held by it, at such rates under par as may be agreed upon by said company and purchasers: *Provided*, That as whereas bonds of the county of Allegheny have been delivered to the directors of said company, under an agreement that the same should not be sold at less than their par value, and the said bonds having since been sold and transferred, the bonds of the said county of Allegheny are hereby excepted from the provisions of the second section of this act.

Authorized to sell bonds.

Proviso.

SECTION 3. That hereafter the Allegheny Valley railroad company shall not be permitted to plead, in avoidance of its contracts, or in any manner be subject to the provisions of the act of Assembly of the second March, Anno Domini, one thousand seven hundred and twenty-three, entitled "An act for reducing the interest of money from eight to six per centum per annum.

Not subject to the provisions of certain act.

SECTION 4. That the seventh section of the act to which this is a supplement, be and the same is hereby altered, so that the courts of quarter sessions therein mentioned shall, instead of issuing a precept to the sheriff, appoint three disinterested citizens of an adjoining county, to whom all questions in relation to rights of way, damages, et cetera, as named in said section, shall be referred within the county wherein the application is made, the award of a majority to be binding on parties, subject

Alteration of seventh section of original act.

to the same conditions as are provided in cases of findings by jury provided for in said section.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The fourth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 236.

AN ACT

To incorporate the Arcadian Institute of the Borough of Orwigsburg, in the county of Schuylkill.

Preamble.

WHEREAS, By an act of the General Assembly of this Commonwealth, approved the eighth day of March, one thousand eight hundred and forty-eight, the county commissioners of said county were authorized and empowered to release to the borough of Orwigsburg, aforesaid, after the removal of the seat of justice from Orwigsburg to the borough of Pottsville, in said county, on legal demand made by the proper authorities, all the right, title and interest which said county may have in and to county buildings and grounds on which the same are erected, together with the appurtenances thereunto belonging, situate in the borough aforesaid, to have and to hold the same in trust only, for the use and purpose of having the same occupied as an academy or seminary of literature for the instruction and education of youth.

And whereas, The said commissioners, in pursuance of said authority, executed a deed of conveyance in trust to the authorities of the borough of Orwigsburg, aforesaid, bearing date on the fourteenth day of June, Anno Domini, one thousand eight hundred and fifty-three; therefore,

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 chief burgess for the time being, by virtue of his office as such, under the direction of the town council of the borough of Orwigsburg, aforesaid, be and he hereby is constituted a member of the board of trustees of the aforesaid Arcadian Institute, and as such be entitled to a voice in the board of trustees authorized by the second section of this act, for the transaction of all business connected with the institution hereby incorporated, for the especial purpose of carrying out more effectually the true intent and meaning of the aforesaid act of Assembly, approved the eighth day of March, one thousand eight hundred and forty-eight.

Chief burgess
constituted a
member of the
board of trustees.