

L A W S

2024-46

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1853,

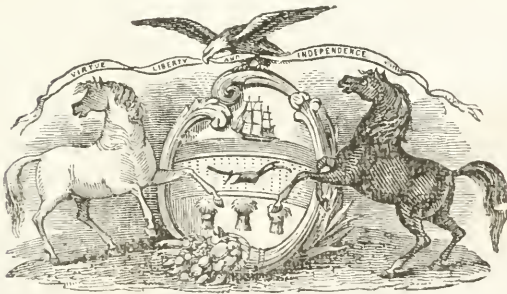
IN THE

SEVENTY-SEVENTH YEAR OF INDEPENDENCE.

---

WITH AN APPENDIX.

---



---

PUBLISHED BY AUTHORITY.

---

HARRISBURG:  
THEO. FENN & CO., PRINTERS TO THE STATE.  
1853.

No. 309.

## AN ACT

Relative to the Danville Railroad company; to authorize the erection of a Lock-up house in Coal township, Northumberland county; relative to the Chartiers' Valley Railroad company; extending the provisions of the General Manufacturing law to Marble, Stone, &c.; authorizing the Board of Health of the city of Philadelphia to sell certain lots; relative to the Germantown Water company; to the Chester and Carterville Plank Road company; to unseated Road Orders in Forest and Jefferson counties.

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 Danville Railroad company be and are hereby authorized to construct their railroad, with one or more tracks, on the south side of the Susquehanna river to and connect the same with the Philadelphia and Sunbury railroad at or near the borough of Sunbury, or with the Sunbury and Erie railroad at or near the said borough; and if the owner or owners of any land shall refuse to permit the said company to enter upon and occupy the same, and the parties cannot agree upon the compensation to be made for any injuries that may be done to said lands, the said company shall give a bond to the owner or owners of said land, in a sum to be fixed by one of the judges of the court of common pleas of Northumberland or Montour county, conditioned for the payment of any damages he, she or they may sustain by the construction of said road, and with one or more sureties, to be approved of by the said judge, which bond shall be filed in the office of the prothonotary of either of the said counties, and the said company may thereupon enter upon, occupy and use said lands for the purposes aforesaid, and the damages, if any, sustained by the owner or owners of said lands, shall be assessed in the manner provided in the act incorporating said company, and the stockholders of said company shall be entitled to one vote for every share of stock he, she or they may hold: *Provided*, The dividends to be declared by the said company shall not exceed fifteen per cent., and the powers and jurisdiction given to and conferred upon the several courts of Columbia county by the act incorporating the said company, be and are hereby transferred to and conferred upon the several courts of Northumberland county and Montour county respectively.

May connect  
with other  
roads.

Damages how  
settled.

Proviso.

Borrow money.

SECTION 2. That the said company, or the board of directors thereof, be and are hereby authorized to borrow such sums of money not exceeding in all the sum of three hundred thousand dollars, at a rate of interest not exceeding seven per cent. per annum, which may be deemed expedient, and to make the principal of said loan or loans convertible into the stock of the said company, on such terms as may be agreed upon, and to make the principal and interest of said loan or loans payable at such time or times as may be advisable, and for the security of said loan or loans, may execute a deed of trust or mortgage of the railroad and other property of the company in possession or to be acquired, and its corporate rights and franchises, and such other property as may be conveyed to the company for that purpose, and in the event of a sale under such deed of trust or mortgage, all the property conveyed in the deed of such trust or mortgage, and the cor-

porate rights and franchises of the company, shall pass to the purchaser or purchasers, free from all incumbrances subsequent to the execution thereof, and be vested in him or them, and the said company may from time to time increase its capital stock, as shall be deemed expedient. May increase capital stock.

SECTION 3. That it shall be lawful for said company to sell and dispose of the bonds which they are hereby authorized to issue, at such rates and in such manner as they may deem expedient. Bonds.

SECTION 4. That Richard Wolverton, William Fagely, and Jacob Money, are hereby appointed commissioners of public roads and trustees of the Lock-up house as hereinafter provided for, in Coal township, Northumberland county, the first named to serve one year, the second two years, and the third three years, from and after the first day of June, A. D. one thousand eight hundred and fifty-three. Coal tp., Northumberland co., roads and lock-up house.

SECTION 5. That it shall be lawful for said board of commissioners, or a majority of them, to levy and assess the necessary amount of tax in Coal township aforesaid, to defray the expense of opening, making and repairing the public roads in said township, and to erect or provide a Lock-up house in said township, said taxes to be collected in pursuance of their warrant, as county taxes are collected, and placed in the hands of the township treasurer, who shall give to said commissioners his bond with approved security for the same, and pay the orders issued by said board of commissioners on him for making and repairing public roads, and providing and maintaining Lock-up house. A tax to be assessed and collected.

SECTION 6. That it shall be lawful for said board of commissioners, or a majority of them, in opening any new road in said township, authorized by law, or keeping in repair those now opened, to let the opening, making and repairing out by contract to the lowest and best bidder, giving due public notice, and receiving propositions for the performance of said work, when in their judgment the interests of the township and of the public will be promoted thereby, and it shall be the duty of said commissioners to exercise a general supervision over the public roads of the township and the Lock-up house hereafter provided for, and have the same kept in good repair. Roads to be let out by contract.

SECTION 7. That it shall be lawful for the above mentioned board of township commissioners, and they are hereby authorized and required, to have built or otherwise provided and supported within the bounds of the township of Coal, in Northumberland county, at the expense of said township, a suitable building for the security and temporary detention and confinement of any person or persons committed by any justice of the peace or any constable of said township for any violation of the laws of this Commonwealth, or acts of the General Assembly for the regulation of the internal affairs of said township, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said Lock-up house at any one time for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, or until discharged by law, or removed to the common jail of the aforesaid county by the proper officer. Lock-up, to be built.

SECTION 8. That the expense of arresting, binding over or committing and keeping any such person or persons in said Lock-up house, or conveying him, her or them on any indictable offence to the common jail of Northumberland county, shall be paid by the commissioners of said county, on the presentation of proper accounts to the said commissioners, but if upon a hearing before any of the justices of the peace of said township such person or persons shall be discharged for want of sufficient cause to bind him, her or them over for trial at the next Proviso.  
Expenses of committing prisoners, how paid.



criminal court of said county, the said magistrate shall have power to require such person or persons to pay all the costs that may have accrued in the case, (if to him it shall seem just and proper, under all the circumstances,) and to enforce the collection of the same by an attachment and detention of his, her or their person, goods or chattels, until the said costs and charges are paid: *Provided, however,* That if such offender or offenders are unable to pay the costs, &c., or should not be ordered to pay them by the magistrate as above authorized, the same shall be paid by the township treasurer out of the funds collected as above provided for.

Proviso.

Constables to keep lock-up.

SECTION 9. That the constables of said township of Coal shall keep the said Lock-up house, and if any person or persons shall wilfully or maliciously destroy or attempt to destroy the said Lock-up house, he, she or they shall, upon conviction thereof by the court of quarter sessions of Northumberland county, be sentenced to undergo an imprisonment in the Northumberland county prison, for any period not less than six months nor more than one year, for each and every offence.

Penalty for injury to.

Chartiers' Valley railroad, may make a branch road.

SECTION 10. That the Chartiers' Valley Railroad company be and they hereby are authorized to extend a branch of their road from any point on their line to the western line of this State, by such route as they may deem most expedient and practicable, and to connect the same with any railroad which may be constructed in the State of Virginia.

Manufacturing law, provisions extended.

SECTION 11. That the provisions of an act to encourage Manufacturing Operations in this Commonwealth, passed April seventh, one thousand eight hundred and forty-nine, shall be and they are hereby extended to companies formed for the purpose of quarrying, preparing for market and vending marble, sandstone and other stone used for building purposes.

Board of Health, Philadelphia.

SECTION 12. That the Board of Health of the city of Philadelphia be and they are hereby authorized and empowered to sell and convey in fee simple, all or any of their lots now or heretofore used as depositories for privy filth, and to purchase or lease other lots for such purposes: *Provided,* The same be not in locations prohibited by law.

Proviso.

Germantown water company, may increase capital.

SECTION 13. That the Germantown Water company shall have the right to increase or enlarge their capital stock, in the same manner, form and extent, as turnpike or plank road companies may do under the second section of an act entitled "An Act regulating Turnpike and Plank Road companies," approved the twenty-sixth day of January, eighteen hundred and forty-nine.

Chester and Carterville plank road, may be extended.

SECTION 14. That the Chester and Carterville Plank Road company, in Delaware county, shall have power to extend their road from its western terminus along the Village Green road to Village Green, and along the Chichester road to the Village Green and Matens Hook roads, and the eastern terminus of said road shall be at the line of the borough of Chester.

Townships in Forest and Jefferson counties, liable for road orders.

SECTION 15. That the several township in the counties of Forest and Jefferson, shall hereafter be liable for all unseated road orders issued by the county commissioners to the supervisors thereof, and the court of quarter sessions of each county may compel the payment thereof, by such process as they may deem proper.

W. P. SCHELL,

*Speaker of the House of Representatives.*

THO. CARSON,

*Speaker of the Senate.*

APPROVED—The eighteenth day of April, one thousand eight hundred and fifty-three.

WM. BIGLER.