

to the legislature, that the payment of the money within the time stipulated would, from a variety of unforeseen circumstances, be an oppressive inconvenience to the citizens of Luzerne: Therefore,

SECTION I. *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 time allowed to the commissioners of Luzerne county, by an act passed the nineteenth day of March, one thousand eight hundred and seven, for the payment of a certain sum of money be, and the same is hereby extended in the following manner, *that is to say,* They shall pay or cause to be paid, into the state treasury on or before the first day of June next, one thousand dollars, and the remaining sum of one thousand three hundred and twenty-five dollars, on or before the first day of June, one thousand eight hundred and ten, with interest: *Provided always,* That in case of failure to comply with the provisions of this act, the grant of two thousand dollars heretofore made to the trustees of Wilkesbarre Academy, shall revert to the commonwealth, and the commissioners of said county shall thereupon forthwith pay or cause to be paid over to the state treasurer, the full sum of four thousand three hundred and twenty-five dollars.

JAMES ENGLE, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, one thousand eight hundred and nine.

SIMON SNYDER.

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## CHAPTER XXXVI.

### *An ACT concerning libels.*

SECTION I. *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 from and after the passing of this act no person shall be subject to prosecution by indictment in any of the courts of this commonwealth, for the publication of papers examining the proceedings of the legislature or any branch of government, or for investigating the official conduct of officers or men in public capacity.

SECT. II. *And be it further enacted by the authority aforesaid,* That in all actions or criminal prosecutions of a libel, the defendant may plead the truth thereof in justification or give the same in evidence, and if any prosecution by indictment, or any action be instituted against any person or persons contrary to the true

Time for the payment of a certain sum of money by the commissioners of Luzerne county to this commonwealth, extended. *Proviso.*

No person to be prosecuted by indictment for examining and publishing the conduct of certain officers.

The truth to be given in evidence in all actions of criminal

prosecutions  
for a libel.

intent and meaning of this act, the defendant or defendants in such action or indictment may plead this act in bar, or give the same in evidence on the plea of not guilty: *Provided*, That this act shall be and continue in force for the term of three years, and from thence to the end of the next session of the legislature.

JAMES ENGLE, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, one thousand eight hundred and nine.

SIMON SNYDER.

CHAPTER XXXVII.

*An ACT to enable the Governor to Incorporate a Company for the purpose of making an artificial road from the Philadelphia and Lancaster Turnpike Road, between the twenty-third Mile-stone and the Admiral Warren Tavern, to the point where the Reading Road intersects the Morgantown Road, to the west of Jones' Tavern in Berks County.*

SECTION I. *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,*

Commissioners appointed.

That Michael Gunckle, Isaiah Kirk, Rees John, John Smith, Samuel Laverty, Thomas Bull, Doctor James McFarland, James John and Col. William Harris, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, *that is to say*, they shall on or before the first day

Books to be procured.

of April next, procure two books and in each of them enter as follows, " We whose names are hereunto subscribed, do promise

Terms of subscription.

to pay to the president, managers and company of the Little Conestoga turnpike road, the sum of fifty dollars for every share of stock in the said company set opposite to our respective names, in such manner and proportions as shall be determined by the said president and managers, in pursuance of an act of the General Assembly of this Commonwealth, entitled " An act to enable the Governor of this Commonwealth to incorporate a company for the purpose of making an artificial road from the Philadelphia and Lancaster turnpike, between the twenty-third mile-stone and the Admiral Warren tavern, to the point where the Reading road intersects the Morgantown road, to the west of Jones' tavern in Berks county," Witness our hands, the day of in the year of our Lord, one thousand eight hundred and

How and when notice is to be given of the books being open.

And shall give notice in two of the public newspapers in the city of Philadelphia and Lancaster, and in the public newspaper printed in Downingstown in the county of Chester, for two weeks at least, of the times when and places where the said books will