

a certain act, passed the thirteenth day of April, Anno Domini, eighteen hundred and thirty-five, regulating the same, be and the same is hereby confirmed and ordered to be made, and the treasurer of the county aforesaid, is hereby directed to pay the expense thereof out of the county funds as in all similar cases, any law to the contrary notwithstanding.

SECTION 3. It shall be lawful for the commissioners of the Regulation of Hamilton district of Spring Garden, to alter the regulation of the street by height and pitch of Hamilton street, so as to make the summit between Schuylkill Second comm'rs of and Third streets, and in front of the centre of the Preston Spring Garden Retreat: *Provided*, The expense be paid out of the funds Proviso. for establishing the said Retreat.

SECTION 4. So much of the lane or road mentioned in the Lane from eleventh section of an act passed the third of April, A. D. Broad street eighteen hundred and thirty-seven, as extends from Broad to Ridge street to the Ridge road, shall be closed as soon as Poplar road to be street, from Broad street to the Ridge road shall be opened closed, &c. for public use, free from charge to the county.

LEWIS DEWART,

Speaker of the House of Representatives,

J. R. BURDEN,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini, one thousand eight hundred and thirty-eight.

JOS. RITNER.

—●—
No. 23.

An Act

To incorporate the Stafford Coal 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 George Brinton, Walter C. Livingston, Charles S. Coxe, Edward D. Ingraham, William Shippen, Edmund S. Coxe, Richard L. Howell, their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name, style and title of "The Stafford Coal company," with a capital of two hundred and fifty thousand dollars, divided into five thousand shares of fifty dollars each, and the said company may

Corporators.
Name, style and title.
Number of shares.

Powers. hold not exceeding two thousand acres of land, consisting of not more than two distinct bodies, within the counties of Luzerne and Northampton, in Pennsylvania, and shall have power to locate and construct a railroad from any point or points on their lands, to any convenient point of intersection with the Beaver Meadow and Hazleton railroads, and any other railroads in the valleys of Hazle, Beaver, Quakake, and other neighboring creeks, and the Lehigh canal, or any of them, and the company hereby incorporated, shall possess and enjoy all the powers, privileges and immunities, and be subject to the restrictions, terms and conditions, (except so far as is herein otherwise expressed) provided in an act entitled "An act to incorporate the Hazleton Coal company," passed the eighteenth day of March, Anno Domini, eighteen hundred and thirty-six: *Provided*, That whenever the dividends shall exceed six per cent. per annum, the said company shall pay a tax of eight per cent. on all such dividend, into the treasury of the state, for the purposes of education.

Proviso. This act to continue in force until Dec. 1858, but may be amended or repealed by Legislature. SECTION 2. This act shall continue and be in force until the thirty-first day of December, Anno Domini, eighteen hundred and fifty-eight; but it shall and may be lawful for the legislature at any time, in case of misuse or abuse of any of the privileges granted by this act, to amend or repeal any of the foregoing provisions, and to rescind the powers hereby granted.

Proviso. The Comp'y shall not enter upon lands until the rate of compensation for injury be ascertained, &c. SECTION 3. It shall not be lawful for the said company, nor any of its agents, to enter upon any land which they shall deem necessary for the construction and completion of a railroad, or any part thereof, either by the making of any excavation or embankments, or for the mere purpose of searching for stone, earth or gravel, or for the felling of timber for the construction and completion of the said road, until the rate of compensation for injury sustained, or to be sustained, by reason of the construction thereof, shall have been previously ascertained and paid, or the amount thereof secured, in such manner as shall prove satisfactory to the owner or owners of such land, which said compensation, if the parties cannot agree thereon, shall be ascertained in the same manner as is prescribed and provided for in the sixth section of an act to incorporate the Beaver Meadow Railroad and Coal company, passed April seventh, Anno Domini, eighteen hundred and thirty: *Provided*, That this act shall not be so construed as to prohibit the aforesaid company, or their agents, from entering upon any land or lands for the purpose of exploring, examining, surveying, laying out and

locating the said road, with as little damage as may be to the lands or premises which may be thus entered upon for said purpose.

LEWIS DEWART,
Speaker of the House of Representatives,
J. R. BURDEN,
Speaker of the Senate.

We do hereby certify, that the bill entitled "An Act to incorporate the Stafford Coal company," was presented to the Governor on the nineteenth day of February, eighteen hundred and thirty-eight, and was not returned within ten days (Sundays excepted) after it had been presented to him. Wherefore it has, agreeably to the Constitution of this Commonwealth, become a law, in like manner as if he had signed it.

FR. R. SHUNK,
Clerk of the House of Representatives,
GEO. W. HAMERSLY,
Clerk of the Senate.

Harrisburg, March 3d, 1838.

No. 24.

An Act

Making an appropriation to the Eastern Penitentiary, and for other purposes.

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 sum of ten thousand dollars be, \$10,000 ap- and the same is hereby specifically appropriated for the propriated. payment of debts contracted in the construction and comple- tion of the buildings of the Eastern Penitentiary, to be paid out of any moneys not otherwise appropriated, on a warrant or warrants drawn by the Governor in favor of the inspectors of said penitentiary: *Provided,* That the inspectors furnish a detailed statement of the accounts to the accountant department, to be settled and adjusted in the usual manner.

SECTION 2. That the State Treasurer be, and he is hereby authorized and required to loan to the inspectors of the Eastern Penitentiary, the sum of ten thousand dollars, to be State Treas- surer to loan \$10,000.