

other corps exempted from parading with militia. Guards and Lehigh Artillerists, in the county of Lehigh; and the Windsor Artillerists, of York county, shall be exempted from parading or drilling with any regiment or battalion of militia, except at the discretion of the members of said company: *Provided*, That the above named companies shall meet for the proper number of days required by law, in their company capacity.

Appropriation for Volunteer encampments. Proviso. SECTION 13. That the State Treasurer is authorized, and hereby required, to pay upon the certificate of the Adjutant General, to the commanding officer of any regiment or battalion of volunteers, any sum of money not exceeding one hundred dollars for a regiment, or fifty dollars for a battalion: *Provided*, Said regiment or battalion shall at any one time encamp for any number of days not less than three in one year, and the sum so appropriated to be paid for the transportation of tents, and other actual expenses of said encampment.

Independent Battalion of Volunteers in York co. SECTION 14. That hereafter the members of the "Independent Battalion of Volunteers," in the county of York, shall vote for Brigade Inspector at the house now occupied by William Tarbet, in Hopewell township, in said county, and that the same compensation be allowed for holding elections for officers of the volunteers, as are now allowed for holding elections for officers of the militia.

LEWIS DEWART,

Speaker of the House of Representatives,
J. R. BURDEN,

Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and thirty-eight.

JOS. RITNER.

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No. 37.

A Supplement

To an act entitled An act to incorporate the Sunbury and Erie, and Pittsburg and Susquehanna Railroad companies, 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 so much of the act to which this

is a supplement, as provides for an election of president and managers of the Sunbury and Erie Railroad company, on the second Monday of January, in the year one thousand eight hundred and thirty-eight, be, and the same is hereby repealed; and that the president and managers now acting, shall continue in office until the second Monday of January, one thousand eight hundred and thirty-nine, any thing in the act to which this is a supplement to the contrary notwithstanding, and that hereafter notice of an annual or special election for president and managers, and of the annual meeting of stockholders, shall be published for ten days at Philadelphia and Erie, and two successive weeks at Sunbury, previous to such election or meeting.

SECTION 2. That the time of commencing the construction of the said Sunbury and Erie Railroad, shall be extended until the first day of June, eighteen hundred and forty, and that at least two hundred miles of said road shall be completed in seven years, and the whole thereof in nine years next succeeding said first day of June, eighteen hundred and forty; any thing in the act to which this is a supplement to the contrary notwithstanding.

SECTION 3. That the twenty-ninth section of the act to which this is a supplement, be so altered and amended as to authorize and require the commissioners, or any three of them named in said section, to procure books; and open the same for the purposes contemplated in said act, within one year from the date hereof, at the cities of Pittsburg and Philadelphia, and at such other places as is thought expedient, and to give thirty days notice of the same in one or more newspapers published in the cities of Philadelphia and Pittsburg, and at such other places as they may think advisable.

SECTION 4. That it shall be lawful for the Philadelphia and Reading Railroad company, at any time after the passage of this act, to extend their said railroad from its present termination, in the borough of Reading, to some suitable point in or near the borough of Pottsville, in the county of Schuylkill: *Provided*, That if in the opinion of Moncure Robinson, Esquire, the engineer of the said company, the road may be, as advantageously to the interests of the public, made to terminate at the present termination of, and connect with the Mount Carbon Railroad; then and in such case the privilege hereby conferred shall not extend beyond the said point: *And provided further*, That if the Philadelphia and Reading Railroad company shall not commence their work simultaneously at or near Mount Carbon and at Reading, within one year, and complete that part of the road between

Port Clinton and Pottsville within two years, and the whole within four years after the passage of this act, then the privileges hereby granted shall cease and be null and void; and in addition to the route already located by them for their railroad from the Falls of the Schuylkill to the river Delaware, to survey, locate and construct a branch from any suitable point on their said railroad to such point as they may deem most advisable, on the line of the Philadelphia and Columbia Railroad; and also to survey, locate and construct a branch from some suitable point on their road to some convenient point in or near the borough of Norristown, and in the construction and use of the said extensions and branches of their railroad as aforesaid, the said company shall have, hold and enjoy, all the rights, privileges and immunities secured to them by law on other parts of their road, and shall be subject to the same liabilities, restrictions and provisions imposed upon them on other parts of the road: *Provided,*

3d Proviso.

That in the assessment of damages, and in all other matters arising in the county of Schuylkill, the court of Common Pleas, and the juries of Schuylkill county, shall have the same jurisdiction and powers which the courts of Common Pleas and the juries of other counties through which the road passes have over such parts of the road as lie in their respective counties: *And provided further,* That the Canal

4th Proviso.

Commissioners shall approve of the location of the branch road which is intended to effect a connection with the Philadelphia and Columbia Railroad, and that if at any time, in the opinion of the legislature, the said branch road be required to enable the commonwealth to dispense with the inclined plane at Peter's Island, it shall be lawful for the commonwealth to purchase the same on reimbursing to the said company the cost of the said branch road.

Williamsport and Elmira Railroad Co. authorized to enter upon lands, &c.

SECTION 5. That it shall be lawful for the Williamsport and Elmira Railroad company, their agents, officers, engineers, contractors and servants, at any time to enter upon, take possession of and use such land as may be necessary for the location and construction of the said railroad, and also to take from any land in the neighborhood of the same, any gravel, stone or other material, timber excepted, for the purpose of constructing and maintaining said railroad, subject to such compensation and arrangements as are provided by the thirty-sixth section of the act incorporating said company.

SECTION 6. The second section of an act entitled "A supplement to the act entitled An act authorizing the Governor to incorporate the Strasburg Railroad, the Williamsport and Elmira Railroad, the Marietta and Columbia Railroad, the

Portsmouth and Lancaster Railroad, and incorporating a company to make the Oxford Railroad," is hereby repealed; the said company shall be authorized to hold such an amount of land, not exceeding five acres at any one place, and improvements at the terminations and along the line of the road, as may be necessary for water stations and the accommodation of passengers, and for depositing and shipping commodities conveyed or designed to be conveyed on the railroad, and necessary and convenient landings, and buildings for workmen, shops, and other purposes connected with the general objects of said company.

SECTION 7. That the president, managers and company of the Swatara and Good Spring Creek Railroad company shall have full power, in addition to the powers already granted to the said company by virtue of the third section of their act of incorporation, passed April second, Anno Domini one thousand eight hundred and thirty-one, to extend their railroad from the present point of termination on Swatara, as laid down in the third section aforesaid, a branch railroad up the Swatara, from its junction with Good Spring Creek to the Swatara Falls, on the Broad mountain, or such shorter distance in a direction towards said falls as the said company may think expedient, for which purpose the said company shall have the same powers, and be subject to the same restrictions imposed upon the aforesaid company by virtue of their original charter: the company shall have privilege to increase their capital so as to meet their wants in the construction of the extension of the road contemplated by this act: *Provided*, the same does not exceed the sum of one hundred thousand dollars, in the same manner as is provided for in the first section of the law aforesaid: *And provided further*, That Simeon Guilford, David Krause, Charles A. Snyder, John Huber, Peter Filbert, Samuel Goss, Charles Frailey, William Donaldson, William Levan, Charles McClure, M. W. Roberts, and Samuel Webb, be appointed additional commissioners, who shall possess the same power, and be subject to the same restriction as those who were heretofore appointed by virtue of the original act.

SECTION 8. That the Laurel Hill Coal company be, and are hereby authorized to construct a railroad, with one or more tracks, from their coal lands or the Hazleton Railroad to the river Lehigh, at such point as they may deem most expedient, and for that purpose they may increase their capital stock or borrow fifty thousand dollars, and have the same powers and immunities, and be subject to the same

terms and conditions that are provided in the act to incorporate the Beaver Meadow Railroad and Coal company, and the supplements thereto.

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

APPROVED—The twentieth day of March, one thousand eight hundred and thirty-eight.

JOS. RITNER.

No. 38.

An Act

For the relief of Andrew Keen and others, soldiers and widows of soldiers of the Revolutionary and Indian wars.

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 State Treasurer be, and he is hereby authorized and required to pay to Andrew Keen, Margaret James, and Christian Cromly of Philadelphia county, James McCain and John Sipes of Armstrong county, Sarah McDonald of Chester county, William White of Indiana county, Samuel Finch of Tioga county, Jacob Shade of Montgomery county, Jacob Shope of Dauphin county, James Brown of Luzerne county, and Peter Hawk of Lehigh county, Pennsylvania, and Mary Feathers of Preston county, Virginia, soldiers and widows of soldiers of the Revolutionary and Indian wars, or to their respective orders, forty dollars each immediately; as a gratuity, and an annuity of forty dollars each during life, to be paid half yearly, commencing on the first day of January, one thousand eight hundred and thirty-eight.

SECTION 2. That the State Treasurer is hereby authorized and required to pay to James Denning of Westmoreland county, and James Nicholson of Venango county, soldiers of the Indian war, or to their respective orders, forty dollars each immediately as a gratuity.

SECTION 3. The State Treasurer be, and he is hereby authorized and required to pay to Frederick Byrod and George Lemon of Dauphin county, Christopher Colbey of Centre