

## No. 21.

**Resolution**

Repealing the third section of the incompatible act of the sixth March, eighteen hundred and twelve, and for other purposes.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the third section of an act entitled A supplement to an act declaring the holding of certain offices or appointments incompatible, passed the sixth of March, eighteen hundred and twelve, and all other laws making members of the legislature incompetent to receive appointments to office after they shall have resigned their seats, be and the same are hereby repealed.

LEWIS DEWART,  
Speaker of the House of Representatives.  
CHARLES B. PENROSE,  
Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and thirty-eight.

JOS. RITNER.

## No 22.

**Resolution**

Relative to changing the lots attached to certain lock houses on the Juniata division of the Pennsylvania canal, and relative to other purposes.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That it shall and may be lawful for the Canal Commissioners to change the location of the lot of ground or garden attached to the lock house at the Augwick dam, in Wayne township Mifflin county, and also the location of the garden or lot of ground attached to the lock house, at the three locks above Lewistown, in Oliver township Mifflin county, on the Juniata division of the Pennsylvania canal, if they shall be of opinion that such change can be conveniently made without injury to the public works: *Provided,* The owners of the land, with whom such exchange shall be proposed to be made, shall consent to the same, and that the said canal

Lots attached to certain lock houses may be changed.

Proviso.

commissioners shall and are hereby authorized to make conveyances for the lands now occupied as aforesaid, to the person or persons with whom they shall make such change, and to receive conveyances from such person or persons in the name of the commonwealth for the land they shall take in exchange, and hereafter occupy for a lot or garden to said houses: *And provided*, That the whole expense shall be borne by the persons with whom the said commissioners shall make such exchange. 2d Proviso.

*Resolved*, That the Canal Commissioners be, and they are hereby authorized and required to examine, if any, and what amount of damages was sustained by William C. Hull, of Lancaster county, a transporter on the Philadelphia and Columbia Railroad, in having his car run down and the freight of the same destroyed by one of the State locomotive Engines, during the year eighteen hundred and thirty-five: *Provided*, That they shall be satisfied that the same was done through the negligence of the engineer, and are of opinion that the state should pay the same; should they think him entitled to damage as aforesaid, they shall report the amount thereof, which shall be paid out of the damage fund. Damages of Wm. C. Hull of Lancaster Co. Proviso.

*Resolved*, That the Canal Commissioners are hereby authorized to purchase, on behalf and in the name of the commonwealth, such land where there is any useful water power created by the public works as they may deem necessary, for the beneficial use of said water power, and to draw their warrant upon the State Treasurer for the amount thereof, and make report of their proceedings to the next legislature. Canal Commissioners authorized to purchase certain land.

*Resolved*, That all companies hereafter incorporated, for the construction of canals, railroads or other works of internal improvement in the state of Pennsylvania, shall cause correct topographical maps to be made, showing accurately the location of their works, together with accurate profiles of the ground; the said maps and profiles shall be made on an uniform scale, to be designated by the Canal Commissioners, and shall be deposited in the office of the said Commissioners, at Harrisburg; and the said companies shall further cause a complete and correct set of drawings to be made, exhibiting the plans, profiles and elevations of all important constructions upon their respective works, accompanied by the proper specifications and bills of materials; the plans shall be of uniform size, and bound together in the form of a book which shall be deposited in the office of the Canal Commissioners, and that the Canal Commissioners be directed to request all canal and railroad companies, heretofore incorporated, to furnish and deposite in their office, as Canal and Railroad companies to make topographical maps.

far as practicable, similar maps, profiles and drawings, as is herein provided in relation to companies hereafter to be incorporated.

West Branch Bank at Williamsport to advertise a meeting of the stockholders &c. *Resolved*, That the commissioners named in the act incorporating the "West Branch Bank at Williamsport," or any five of them, shall have power to advertise a meeting of the stockholders, for the purpose of holding an election for thirteen directors of said Bank, at any time before the third Monday of November next.

Preamble relative to the Northamp'n and Luzerne Coal Co. *WHEREAS*, The Northampton and Luzerne Coal company, incorporated the sixteenth day of June, eighteen hundred and thirty-six, have ascertained that the coal on their tract of land commences on the line of Schuylkill county, and running into that county: Therefore

Co. authorized to make their railroads within 5 years and to hold 2000 acres of land. *Resolved*, That the Northampton and Luzerne Coal company be, and is hereby authorized, to purchase and hold lands within the county of Schuylkill, adjoining their property; and that they be further authorized to construct their railroads within five years; the quantity of land held by said company not to exceed two thousand acres.

Shamokin Coal Co. authorized to hold a certain quantity of land. *Resolved*, That the Shamokin Coal company shall have the right to hold the quantity of land which the said company has authority to hold, by the fourteenth section of the act of incorporation, in the counties of Northumberland and Columbia, or either of them, according to the provisions of the said section.

West Phila. R. R. Co. authorized to extend their road across the river Schuylkill. *Resolved*, That the West Philadelphia Railroad company be, and they are hereby authorized, to extend their road to and across the river Schuylkill, on either the Permanent Bridge now erected on the said river at High or Callowhill street: *Provided*, they shall obtain the consent of the corporation or company owning the bridge over which they shall cross said river, and in case they cannot obtain the consent of either of the said companies owning either of said bridges, on such terms as are reasonable, then the said railroad company may, and they are hereby authorized and empowered, to erect and build a permanent bridge over the said river, at or opposite any of the public streets between the bridge at High street, in the city of Philadelphia and the Fairmount Bridge; for that purpose they shall have the right to enter upon the private property of individuals, upon the same conditions and on paying for the same in the same way, as they are authorized and required to do in making the said railroad; the said bridge shall be so constructed as to have two railroad tracks, and two tracks for common traveling, and shall not obstruct or impede the navigation of the said river, nor injure the Fairmount Water

Authority to erect a bridge.

Navigation of the river not to be obstructed.

Works; and if, in the opinion of any future legislature, the said bridge shall injure either, the power is hereby reserved to alter or modify the authority hereby given, so that no injury shall be done, and this law, in such case, may be repealed, and the bridge removed at the expense of the said railroad company; and the said railroad company may charge less, but not beyond the rates of toll charged by the Permanent Bridge company, for crossing their bridge: *Provided*, That all persons going to and returning from places of worship and funerals, shall pass over the same free of toll.

Right to modify or repeal this act reserved.  
Rates of toll. Proviso.

Until the said bridge shall be built the said railroad company shall have power to establish a Steam Ferry, for the purpose of transporting their engines, cars and other vehicles, with merchandize, over the said river, charging the same tolls as are hereby authorized for passing over said bridge when finished: *Provided*, that said ferry shall be so constructed and managed as not to impede or obstruct the navigation of said river.

Power to establish a Steam Ferry.

LEWIS DEWART,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, one thousand eight hundred and thirty eight.

JOS. RITNER.