

No. 76.

A SUPPLEMENT

To an act entitled "An act authorizing the construction of a rail road to connect the North Branch division of the Pennsylvania canal, at or within the borough of Wilkesbarre, with the slack water navigation of the Lehigh."

Preamble

WHEREAS, the Lehigh Coal and Navigation company have graded the greater part of the rail road from Whites Haven on the Lehigh, to Wilkesbarre, and have laid off a part of the same over elevated ground, called the Nescopeck Mountain, about one hundred feet above the adjoining grade, by which plan the said company will avoid the expense of tunnel of about twelve hundred feet in length, and be able to finish said road during the present year. *And whereas*, said company have signified a willingness to make such tunnel or a thorough-cut and thus continue a regular grade in their road much to the advantage of persons using the same, provided the time for completing said road be extended for a further term of three years; Therefore,

Time for completion of road extended

Proviso

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 act to which this is a supplement, authorizing the construction of a rail road to connect the North Branch division of the Pennsylvania canal, at or within the borough of Wilkesbarre, with the slack water navigation of the Lehigh, passed the thirteenth day of March, one thousand eight hundred and thirty-seven, and the time therein limited for the completion of said road, be extended, and the same are hereby extended for a further term of three years, from the twentieth day of March, one thousand eight hundred and forty. *Provided* The said Lehigh coal and navigation company, shall and do within that period make and complete the aforesaid thorough-cut or tunnel.

FRED'K. SMITH,

Speaker of the House of Representatives, pro tem.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, eighteen hundred and thirty-nine.

DAVID R. PORTER.