

State treasurer to pay certain money to John Koons
 Proviso
 Release

Proviso
 Patents how paid

or are contained within the boundaries of the lands, certified to Connecticut settlers under the provisions of the act for adjusting the titles to lands in the said seventeen townships, in the county of Luzerne, and that the said John Koons was fully, and fairly, and exclusively entitled to the said tracts of land, except as against the certificate granted to Connecticut settlers at the time the same was so granted, then they shall ascertain the amount of the purchase money paid to the Commonwealth on so much of said lands as they shall ascertain to have been certified to said Connecticut settlers, and the state treasurer is hereby directed to pay the amount so ascertained out of any moneys in the treasury not otherwise appropriated: *Provided*, That the said John Koons shall release unto the Commonwealth, all the right, title and interest he has in and to the lands aforesaid, except such parts as are included in two certificates for lots number five and six, third division, of the certified township of Huntingdon, containing together one hundred and eighty-four acres and seventy-nine perches: *And provided also*, That the said John Koons shall, out of the money herein directed to be paid to him, pay for and patent upon said certificate title, the aforesaid lots number five and six, in the third division of Huntingdon aforesaid.

WM. A. CRABB,

Speaker, of the House of Representatives.

JN. H. EWING.

Speaker of the Senate.

APPROVED—The twenty third day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 52.]

A SUPPLEMENT

To an act entitled "An act to incorporate the Towanda Railroad and Coal company," passed the twelfth day of June, Anno Domini one thousand eight hundred and thirty-nine.

Comp to construct canal up Towanda creek

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 Towanda Railroad and Coal company, shall have power to construct a canal from the pool above the dam of the river Susquehanna, and below the bridge over the same, at the borough of Towanda, up the valley of the Tow-

anda creek, as far as they may think necessary: *Provided*, The distance shall not exceed two miles: *And provided*, ^{Proviso} That in the construction and use of said canal, the said company shall do no injury to the public works of the State. And the said company in the construction of said canal, in obtaining materials therefor, in the ascertainment and settlement of damages, in the rates of toll for transportation thereon, and in all matters connected therewith, shall have the same rights and privileges, and be subject to the same restrictions as are provided in the charter, respecting the railroad of said company: *Provided*, The privileges herein granted, shall not be construed to authorize any water power privileges: *Provided*, ^{Proviso} ^{nd proviso} That no damages shall be claimed by said company, in consequence of the necessary withdrawal of the water from said pool, for the purposes of navigation, or for repairing the State canal: *Provided*, ^{Proviso in} ^{case of scarcity} ^{ty of water in} ^{Peniu'a canal} In case there should be any scarcity of water for the navigation of the State works, the State hereby reserves the right to cut off the supply to said canal: *And further provided*, The plans for the connexion of said canal with the State works, shall be approved by the board of canal commissioners: *Provided also*, ^{Proviso} That nothing herein contained, shall be construed to authorize the canal commissioners to ^{Out-let lock} ^{prohibited} allow any out-let lock to be constructed by said company, below said dam or pool.

SECTION 2. The said company shall pay to the state treasurer, for the use of the Commonwealth, such sum as the canal commissioners shall deem a reasonable and just compensation for the privileges hereby granted. ^{Comp to pay} ^{State for the} ^{privilege of} ^{water}

SECTION 3. The legislature hereby reserves the right to alter, amend, or revoke the privileges hereby granted: *Provided*, They shall do so in such manner that no injustice shall be done to the corporators. ^{Repealing} ^{clause}

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate

APPROVED—This twenty-fifth day of March, Anno Domini eighteen hundred and forty-one.

DAVID R. PORTER,