

[No. 107.]

A SUPPLEMENT

To the act passed the thirteenth day of April, one thousand eight hundred and forty-one, entitled "An act authorizing the erection of an academy, for the use of the Sumneytown Society, for the advancement of literature, in Montgomery county, 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 second section of the act of assembly, passed the thirteenth day of April, in the year of our Lord one thousand eight hundred and forty-one, entitled "An act authorizing the erection of an academy for the use of the Sumneytown Society, for the advancement of literature in Montgomery county," be so construed as to authorize the corporation in the said act mentioned, to bring an action or actions at law, against Philip Reed, Esquire, and recover of him such sum or sums of money, which he may at any time have received or recovered from, or of any one or more of the commissioners of the Sumneytown school house lottery, in the county of Montgomery, either without or by suit, or action brought against any of them in his own name separately or jointly with a certain Henry Snyder, under the act passed the tenth day of February, one thousand eight hundred and seventeen, entitled "a further supplement to the act passed the thirty-first day of March, one thousand eight hundred and six," authorizing the erection of a school house near Sumneytown, in Montgomery county, and further to recover in the said action or actions such amount of interest on the said sum or sums of money respectively as to equity and justice shall appertain.

Action
against P
Reed

SECTION 2. The said Philip Reed shall have the right to set-off in any such action or actions, all such sum or sums of money, and no more which he may at any time have actually paid over to the trustees of the said corporation, and also all such reasonable sums of money which he may have bona fide expended in the collection of the several sums from commissioners aforesaid.

Off-set

SECTION 3. The board of appraisers of damages appointed in pursuance of the provisions of the acts of assembly; providing for assessing the damages done to private property by reason of the Pennsylvania canal or rail road passing through the

Board of Canal Appraisers
abolished

same, or taking materials, be and the same is hereby abolished, and the assessment of damages provided to be made by the canal commissioners, of the damages aforesaid, shall be final and conclusive, and the authority given the board of appraisers of damages by the act of the sixteenth of April, one thousand eight hundred and thirty-eight, entitled "A supplement to the act entitled an act, to incorporate the Middleport and Pine creek rail road company, and for other purposes," be and the same is hereby conferred on the canal commissioners.

SECTION 4. That the board of appraisers of canal damages, shall continue for three months after the passage of this act, for the purpose of reporting on the cases already appealed. When act to take effect

SECTION 5. That the state treasurer pay to Andrew Mann, State Treasurer of Bedford county, late a brigade inspector of the first brigade, second division of the militia of Pennsylvania, the sum of one hundred and fourteen dollars and eighty-six cents, for his services and expenses incurred in convening and organizing a general court martial, for the trial of delinquent militia men, for a disobedience of the orders of the President of the United States, in not performing a tour of duty during the late war. to pay Andrew Mann's claim &c.

SECTION 6. That John Heefner, John Small and William Horner junior, the building committee of the St. John's church, in Funkstown, Franklin county, shall be and they are hereby authorized to raise by loan on mortgage, a sum sufficient to pay whatever money may remain due and unpaid, on said building for its erection and construction: *Provided nevertheless,* That the said committee shall file in the court of common pleas of Franklin county, an account of their receipts and disbursements of all moneys which may have come into their hands, and publish notice thereof for three weeks preceding the day upon which the same shall be presented to the said court for confirmation, and that the mortgage shall not be for a greater amount than the balance which may appear to be due on the settlement of the account as aforesaid. Building committee of St. John's church Funkstown

SECTION 7. That so much of the act entitled A supplement to the act entitled an act to incorporate the township of Moyamensing in Philadelphia county, passed March twenty-fourth, one thousand eight hundred and twelve, and for other purposes," approved the seventeenth day of March, one thousand eight hundred and forty-two; as relates to the hawking and peddling of butcher's meat and other marketing through the streets and alleys of said township, be and the same is hereby extended to the district of Southwark. Peddling butcher's meat in Moyamensing

Susan Martz SECTION 8. That the state treasurer be and he is hereby authorized and required to pay to Susan Martz, of Northumberland county, the sum of thirty dollars, out of any money in the treasury not otherwise appropriated, in full of a claim due her late husband as lock tender on the West Branch Division of the Pennsylvania canal.

"Independ't
Blues" of
Butler Co SECTION 9. That the Independent Blues, a volunteer company in Butler county, of the first brigade, sixteenth division, and twenty-fourth regiment of the Pennsylvania militia, are from and after the passage of this act, exempt from parading or drilling with the militia except at their option.

W B Knox SECTION 10. That the state treasurer be and he is hereby authorized to pay, out of any money in the treasury not otherwise appropriated, to William B. Knox, twenty-five dollars for his services as judge advocate, at the court martial which recently assembled at Mechanicsburg, for the trial of Captain William Bigley.

Poor house in
Adams Co SECTION 11. That the provisions of the third and fourth sections of the act, entitled "A supplement to an act, entitled an act to provide for the erection of a house for the employment and support of the poor in the county of Adams, and for other purposes," passed the seventh day of April, one thousand eight hundred and forty, be and they are hereby extended to the county of Adams, and the house for the employment and support of the poor therein, in so far as the same may be applicable in like manner, as if the same had been specially recited in this act.

District of
Spring Gar-
den SECTION 12. That the commissioners of the district of Spring Garden shall have full power and authority to pass such ordinances as they may think necessary, for the purpose of preventing the hawking of butcher's meat through the streets and alleys of said district.

Preamble WHEREAS, Alexander Jackson, formerly resident within the county of Lycoming, was by commission in the nature of a writ *de lunatico inquirendo*, found to be an habitual drunkard, and his estate committed to a trustee, the proceedings relative to which remain of record in Lycoming county, since said proceedings were had, Clinton county was erected including that part of Lycoming county, in which said Jackson resides, and in which all his estate lies, Therefore,

Prothonot'rs
of Lycoming
& Clinton Co SECTION 13. That the prothonotary of the court of common pleas of the county of Lycoming, is directed to deliver to the prothonotary of the court of common pleas, of the county of Clinton, the commission in the nature of a writ *de Lunatico inquirendo*, issued from the court of common pleas of Lycoming county, for the purpose of enquiring as to Alexander Jackson, being an habitual drunkard, and all proceedings and accounts had and conducted pursuant to and by virtue of the

same, and the same shall be filed of record, in the office of the prothonotary of the court of common pleas, of Clinton county, and have the same force and effect as if said proceeding had been originally commenced and conducted in the county of Clinton.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The second day of July, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 108.]

AN ACT

Relating to the Claims of Samuel S. Barton, and others, 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 state treasurer be and he is hereby authorized and required to pay to S. S. Barton the sum of fifty-nine dollars and seventy-five cents, out of any moneys in the treasury not otherwise appropriated, which said sum shall be in full of his retained per centage on the Juniata division of the Pennsylvania canal. S S Barton

WHEREAS, It is alleged that a mistake was made in the final estimate of the work done by Thomas Collins on the Gettysburg extension of the Pennsylvania Railway, therefore, Preamble

SECTION 2. That the canal commissioners be and they are hereby directed to examine the accounts of Thomas Collins, and if they find any error in the said accounts, or estimate, they are hereby authorized to correct the same, and issue their warrant to the state treasurer for the amount due to the said Thomas Collins, if any. Thos Collins

SECTION 3. That the canal commissioners be and they are hereby authorized and required to examine into the alleged claim of D. M. Bull, contractor for section number twenty-seven and lock number seven, on the Tioga Division of the North Branch Extension, Pennsylvania canal, and if it is D M Bull