

[No. 98.]

AN ACT

For the relief of John Fisler, of Chester 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 canal commissioners be and they are hereby authorized to inquire into the claim of John Fisler, for damages and loss of his cars, occasioned by the breaking of a rope on the Schuylkill Inclined Plane, and settle and adjust the same as justice and right may demand, and if they find damages due the said petitioner, to draw their warrant on the state treasurer for the amount of the same, who is hereby authorized to pay the same out of any moneys in the treasury, not otherwise appropriated.

Canal Commissioners to examine claim of J. Fisler

SECTION 2. That it shall be lawful for the commissioners appointed by an act passed the eleventh day of June, one thousand eight hundred and forty, entitled an act to authorize the Governor, to incorporate the Great Island bridge company, to open books for the purpose, and receive subscriptions of stock to the Great Island bridge company, at any time on or before the first days of January, one thousand eight hundred and forty-two, anything in the first section of the said act to the contrary notwithstanding.

Great Island Bridge comp. subscriptions

SECTION 3. That the canal commissioners be and they are hereby authorized and required to estimate, or cause to be estimated, if not already estimated, all the work actually done by Brawley, Dean and Bennett, contractors upon sections number forty-six and forty-seven, on the Shenango line of the Erie Extension of the Pennsylvania canal, and if any mistake has been made in the estimate of the said work, the said canal commissioners shall adjust the same, having a due regard to any change of location from the original contract, and the said canal commissioners shall draw their warrant on the state treasurer in favor of said contractors, for whatever sum or amount they may find due the said contractors, to be paid out of any money in the treasury not otherwise appropriated: *Provided,* That the said Brawley, Dean and Bennett shall pay all costs and expenses incurred by said inquiry and investigation, should no additional compensation be awarded them.

Canal commissioners to estimate work done by Brawley, Dean & Bennett

Proviso

SECTION 4. WHEREAS a certain William M. Hart, sometime in the fall of the year one thousand eight hundred and thirty-six, had a horse belonging to him killed, by falling through a

Preamble

farm bridge over the North Branch Division of the Pennsylvania canal, the planks over which had been removed therefrom by order of the superintendent of that line of canal, to be used in repairing a breach in the public works, and the said bridge temporarily covered, so slightly and imperfectly that by reason thereof the horse of said William M. Hart, in crossing broke through the same, fell into the canal and was killed, thereby occasioning considerable damage to the said William M. Hart, as well in the actual value of his horse as by loss of employment occasioned by said loss; Therefore

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 canal commissioners be and they are hereby authorized and required, to draw their warrant on the state treasurer, in favor of the said William M. Hart, for the sum of ninety dollars in full of all claims upon the Commonwealth, on the part of said William M. Hart, by reason of the premises hereinbefore mentioned and recited.

Wm. M. Hart
compensation
for horse

SECTION. 5. That the applicants for damages under this or any other act to be hereafter passed, shall pay all costs and expenses incurred by any inquiry and investigation thereby authorized, if no damages or additional compensation be awarded them, the time consumed by the officers and expense incurred, to be estimated by the canal commissioners, and recovered off the applicants in the name of the Commonwealth, as debts of like amount are by law recoverable, and the same to be paid into the state treasury.

Applicants for
damages to
pay costs, &c
in certain
cases

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.