

tached to the law, which it could not have been within the contemplation of the legislature to apply to this particular case; and whereas a longer delay in the liquidation of this demand would not only be highly prejudicial to the interests of this claimant, but opposed to the principles of distributive justice:

[Section I.] (Section I, P. L.) Be it therefore 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 comptroller-general and register-general be, and they are hereby empowered to receive and settle the account of Mary Harrison against the state, according to the plain and precise terms of the obligation given to the said Mary Harrison by Joseph Galloway, bearing date the eighth day of June, one thousand seven hundred and seventy, calculating the rate of exchange, between the cities of London and Philadelphia, at the time of such settlement; and to issue a certificate bearing an interest of six per centum for the amount thereof, any law to the contrary notwithstanding.

Passed Sept. 29, 1791. Recorded L. B. No. 4, p. 232, etc.

CHAPTER MDLXXXVII.

AN ACT TO EXONERATE ROBERT SMITH AND WILLIAM RICHARDS FROM THE PAYMENT OF CERTAIN MONEYS, FOUND DUE TO THE COMMONWEALTH BY A JUDGMENT OF COURT, FROM THE SAID ROBERT SMITH AND WILLIAM RICHARDS, AND FROM ALEXANDER BOYD.

Whereas at the suit of the commonwealth a judgment hath been obtained against Robert Smith, William Richards and Alexander Boyd, in March term, one thousand seven hundred and ninety-one, in the court of common pleas for the city and county of Philadelphia, for the sum of three hundred and seventy pounds, four shillings and two pence, being a balance found due from the said Alexander Boyd, for duties by him received as auctioneer for the northern district of the city of

Philadelphia, for whose faithful conduct in office the said Robert Smith and William Richards became bound to the commonwealth; and whereas the said Alexander Boyd was largely in arrears to the commonwealth at the time of his re-appointment, when the said Robert Smith and William Richards became his sureties, and so continued in arrears for three months and upwards, after the said Robert Smith and William Richards had become his sureties as aforesaid, without being dismissed from his said office of auctioneer, agreeably to the express directions contained in the act of assembly in such case made and provided; and whereas the said Alexander Boyd obtained from some of the officers of government, or by some other means acquired the possession of his former bond, and produced the same to his new bondsmen canceled, as an inducement for them to become his sureties, whereby a false credit was given to the said Alexander Boyd, and government, by the neglect and improper conduct of its officers, participated in the deception; and whereas the binding force of contracts will ever be rendered doubtful, where previous concealment or actual deception hath been practiced, and it would be both unreasonable and unjust to compel payment from men who were kept in ignorance of the risk to which they were exposed: Therefore:

[Section I.] (Section I, P. L.) 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 said Robert Smith and William Richards are hereby exonerated and discharged from the payment of the said sum of three hundred and seventy pounds, four shillings and two pence, for which judgment hath been obtained against them at the suit of the commonwealth, and they are hereby empowered to give this act in bar of payment of which all officers and others concerned are required to take notice.

[Section II.] Provided always nevertheless, That nothing in this act contained shall exonerate or discharge the said Alexander Boyd, his estate, or effects, of and from the said judgment; that upon any execution issued thereon, it shall be lawful

for the sheriff to proceed thereon in the same manner, as if the said judgment and execution were against the said Alexander Boyd, severally and solely, without naming his sureties.

Passed Sept. 29, 1791. Recorded L. B. No. 4, p. 233, etc.

CHAPTER MDLXXXVIII

AN ACT TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO INCORPORATE A COMPANY, FOR OPENING A CANAL AND LOCK-NAVIGATION BETWEEN THE RIVERS SCHUYLKILL AND SUSQUEHANNA, BY THE WATERS OF TULPEHOCKEN, QUITTAPAHILLA AND SWATARA, IN THE COUNTIES OF BERKS AND DAUPHIN.

Whereas the opening the communication by water for the transportation of the product of the country, and of goods, wares and merchandises between the city of Philadelphia and the western and northwestern counties of the state of Pennsylvania, will greatly tend to strengthen the bands of union between citizens inhabiting distant parts of a country governed by the same free and happy constitution and laws, to the encouragement of agriculture and manufactures and the promotion of commerce; and whereas from reports made by certain commissioners appointed by the late supreme executive council, in pursuance of an act of the general assembly of this commonwealth in such case provided, it appears that the waters of Tulpehocken, Quittapahilla and Swatara, in the counties of Berks and Dauphin, united by means of a canal and locks, will be sufficient for an inland navigation for the purposes aforesaid, and it is reasonable that the expense of procuring so great a convenience should be defrayed by the persons who will derive an immediate benefit by the use of it.

[Section I.] (Section I. P. L.) Be it therefore 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 Henry Drinker, Robert Hare, Joseph Hiester, George Latimer,