

No. 127.

A N A C T

To authorize the settlement of the claim of Charles Fuller, for work done on section one hundred and eighty-three, North Branch extension of the Pennsylvania canal.

Preamble.

WHEREAS, The contractor for section number one hundred and eighty-three, on the North Branch extension of the Pennsylvania canal, being dissatisfied with the measurement of his work, appealed from the final estimate made in May, one thousand eight hundred and forty-one, a re-measurement was ordered by the canal commissioners :

And whereas, The engineer detailed for that duty reported that "the whole work done upon this section cannot be accurately re-measured, because the original shape of the country along the sections cannot be ascertained, it being located along a bluff, the face of which has been cut off. The floods, too, have washed away some portions of the work ;" therefore,

Duty of canal commissioners.

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 canal commissioners be, and they are hereby authorized and required, to cause the work to be re-measured on section one hundred and eighty-three, North Branch extension of the Pennsylvania canal, according to the contract entered into for the construction of said section, and report their determination and opinion thereon to the legislature : *Provided,* That before any re-measurement shall be gone into, the said contractor aforesaid shall give ample security to the commonwealth for the full payment of the necessary expenses incurred in the re-measurement ; and the necessary expenses incurred by the commissioners in the re-measurement, shall be paid by the contractor, if the estimate of said re-measurement shall be found equal to or less than the first estimate.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The twentieth day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.