

No. 239.

AN ACT

Relative to the Kishacoquillas feeder, at Lewistown.

WHEREAS, The Kishacoquillas feeder, near the borough of Lewistown, in the county of Mifflin, has been abandoned by the canal commissioners as useless: *And whereas*, The commonwealth, by her agents, had agreed to keep the dam and feeder in repair which supplied the said feeder: *And whereas*, The late and present owners of said dam claim damages from the commonwealth for repairs done the said dam and feeder; therefore,

Preamble.

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 in consideration of John Sterrett and James Potter, jr., (the alienees of James Milliken, with whom the contract above set forth was made,) releasing all claims of any and every kind against the commonwealth; and also, obtaining a like release from James Milliken, for, or on account of repairs to the said dam across Kishacoquillas creek and feeder, and agreeing to keep the same in repair at their own expense, the commonwealth hereby releases to the said John Sterrett and James Potter, jr., their heirs and assigns, all, and every claim, right, benefit, use and privilege which the said commonwealth has, of, in, to, or out of the said dam and feeder, except so much of said feeder, including the aqueduct over Kishacoquillas creek, as is situated between said creek and the Pennsylvania canal, and the same is hereby vested in the said John Sterret and James Potter, jr.: *Provided nevertheless*, That the said John Sterrett and James Potter, jr. shall, within twenty days after the passing of this act, file their release of damage in the office of the auditor general.

Release.

Proviso.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.