

the authority of the same, That the act, entitled "An act to enable the governor of this commonwealth to incorporate a company for opening a canal and water communication between the rivers Delaware and Schuylkill, and for other purposes therein mentioned;"<sup>(1)</sup> excepting such parts thereof as empower the president and managers to conduct the water from the streams lying between the north bounds of the city of Philadelphia, and the distance of eight miles therefrom, to supply the said city and neighborhood thereof with water, shall be, and the same is hereby revived, continued and extended, for the space of five years from and after the passing of this act, and from thence to the end of the next session of the general assembly.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the act, entitled "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,"<sup>(2)</sup> shall be, and the same is hereby revived and extended for the space of five years from and after the passing of this act, and from thence to the end of the next session of the general assembly.

Approved March 23, 1802. Recorded in L. B. No. 8, p. 76.

Note (1). Chapter 1647. Passed April 10, 1792. 14 Statutes at Large, p. 313. This act, revived and continued by the act in the text, was repealed April 2, 1811, by the "Act to Incorporate the Union Canal Company of Pennsylvania."

Note (2). Chapter 1588. Passed September 29, 1791. 14 Statutes at Large, p. 150. This act, revived and continued by the act in the text, was repealed by the statute mentioned in the preceding note.

---

## CHAPTER MMCLXV.

AN ACT TO CONTINUE CERTAIN SUITS ENTERED IN THE COURT OF COMMON PLEAS, FOR THE COUNTY OF WASHINGTON, IN THE NAME OF THOMAS MIFFLIN, LATE GOVERNOR, AND JOHN NICHOLSON, LATE COMPTROLLER GENERAL OF PENNSYLVANIA.

Whereas, three suits have been brought in the court of common pleas, to March term, 1797, one of them entitled His

excellency Thomas Mifflin, esquire, Governor of the commonwealth of Pennsylvania, against Jacob Jennings Clerk, and Hannah his wife, late Hannah Carnahan, and John Millegan, administrators, &c. of James Carnahan, deceased; and another, entitled His excellency Thomas Mifflin, esquire Governor of the commonwealth of Pennsylvania, against Charles Foreman and David Vanca, surviving obligors in a bond with William Perry, deceased; and the third, entitled John Nicholson, esquire, comptroller-general for the commonwealth of Pennsylvania, against Joseph Thompson and John Probst, surviving obligors in a bond with William Perry, deceased; in which suits respectively, the death of the plaintiffs is suggested, and in each of which, judgment has been rendered for such sum as may be found due; but doubts exist whether the said suits are not abated, though they are instituted upon official bonds in which the nominal plaintiffs have no real interest, and useless expense and unreasonable delay would result, unless the said doubts were removed.

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 it shall and may be lawful for the persons interested in the said suits respectively, to prosecute the same to final judgment and execution, in the names of the said plaintiffs, for the use of the parties interested, on good surety or sureties being entered by them in the said respective actions, by recognizance, to abide the judgment of the court, in case the causes, or any of them, be decided in favor of the defendants.

Approved March 23, 1802. Recorded L. B. No. 8, p. 71.