

croft and John D. Petriken, late contractors on section Claims of L. thirty-nine, and of Brown and Sawyer, late contractors on G. Bancroft section thirty-seven, on the Portage railroad, as may appear and J. D. Petriken, and of equitable and just under their contracts, and agreeably to the Brown and Sawyer to be fourth section of the act entitled "An act relative to the appointment of Canal Commissioners," dated the sixth day of April, one thousand eight hundred and thirty.

That the board of Canal Commissioners be, and they are Claims of J. hereby authorized and required to investigate the claims of C. B. Nourse Josephine C. B. Nourse, of the county of Northumberland, to be adjusted. for work done by her late husband, as a contractor on the North Branch division of the Pennsylvania canal, for damages sustained in the construction of said canal through her land, in case the party owning the land shall not have released their right to damages, and also, for property taken by the agents of the commonwealth for use of said canal; and it shall be the duty of said commissioners to examine under oath or affirmations, such witnesses as may be offered in support of said claims, and examine such documentary evidence as may be produced in support thereof, and to adjust the same, upon the principles of justice and equity, and the said damages, if any, shall be paid out of the fund provided for the payment of damages, and audited in the usual way.

NER MIDDLESWARTH,  
Speaker of the House of Representatives.  
THOMAS S. CUNNINGHAM,  
Speaker of the Senate.

APPROVED—The thirty-first day of March, A. D. eighteen hundred and thirty-six.

JOS: RITNER.

No. 11.

### Resolution

Relative to the claims of Joseph Smith, Peter Livergood, George Patton Boyer, John Gallagher and George Keener, Isaac Kleckner and James M'Gee, for damages done by the construction of the Pennsylvania Canal and Columbia Railroad.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Canal Commissioners be, and they are hereby authorized, to ascertain whether the ground occupied by the erection of water stations and wood-houses, on the land of*

Claim of Joseph Smith. Joseph Smith, was taken into account when the adjustment of his damage claim was made, and if not, to settle and adjust the same, agreeably to the laws of this commonwealth on the subject of damages.

Claim of Peter Livergood. *Resolved*, That the Canal Commissioners be, and they are hereby authorized to ascertain whether certain lots, the property of Peter Livergood, have been taken by the agents of the state, for the purpose of erecting buildings thereon, for the use of the commonwealth, and whether the same were taken into account when the adjustment of his damage claim was made, and if not, to settle and adjust the same, agreeably to the laws of the commonwealth on the subject of damages.

Claim of Geo. P. Boyer. *Resolved*, That the appraisers of damages on the Pennsylvania canal, be, and they are hereby authorized and required to ascertain whether the washing away of the island of George Patton Boyer, is caused wholly, or in part, by the existence of the Shamokin dam in the river Susquehanna, and if they find the said dam is the cause, wholly or in part, of the said washing away, then the said appraisers shall ascertain and report what damages the said George Patton Boyer has sustained, under the rules, regulations and restrictions in assessing damages, in other cases of damage on the Pennsylvania canal, and the sum so reported, shall be paid out of the damage fund, as in other cases.

Claim of J. Gallagher and G. Keener. *Resolved*, That the Canal Commissioners be, and they are hereby authorized to settle and adjust the claim of John Gallagher and George Keener, late contractors on the French Creek division of the Pennsylvania canal, for compensation for losses sustained in the erection of dam number four, across French Creek, as may, upon examination and investigation, appear equitable and just, and the Auditor General is hereby authorized to audit the same in the way and manner other claims are audited.

Claims of I. Kleckner and J. McGee. *Resolved*, That the Canal Commissioners be, and they are hereby authorized to settle and adjust the claims of Isaac Kleckner and James McGee, late contractors on the West Branch division of the Pennsylvania canal, for compensation for losses sustained in the erection of a dam across the Bald Eagle creek, as may, upon examination and investigation, appear equitable and just, and the Auditor General is hereby authorized to audit the same, in the way and manner other claims are audited.

NER MIDDLESWARTH,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, eighteen hundred and thirty-six.

JOS: RITNER.