

No. 16.

Resolution

Relative to the claims of John A. Lloyd, the heirs of John Lawson, deceased, Franklin Stratton, James P. White, and William Graham, and Jane Parsons.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the appraisers of damages on the Pennsylvania canal be, and they are hereby authorized and required to re-examine and assess the damage, if any, which has been sustained by John A. Lloyd, of Northumberland county, by reason of the construction of the Pennsylvania canal, taking into consideration the advantages of said canal to the said property, under the rules, and regulations and restrictions in assessing damages on the Pennsylvania canal, and the sum so reported, shall be paid out of the damage fund, as in other cases.

Damage sustained by J. Lloyd to be re-examined and assessed.

Damages sustained by the heirs of Jno. Lawson, dec'd. to be ascertained and paid.

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 the heirs of John Lawson, deceased, is caused wholly, or in part, by the erection of the Muncy dam in the river Susquehanna, and if they find the said dam is the cause, wholly, or in part, of the said washing away, the said appraisers shall ascertain and report what damages the said heirs of John Lawson have sustained, taking into consideration the advantages of the said canal to the said property, under the rules, regulations and restrictions in assessing damages on the Pennsylvania canal, and the sum so reported, shall be paid out of the damage fund, as in other cases.

Claim of F. Stratton to be adjusted.

Resolved, That the Canal Commissioners be, and they are hereby authorized to settle and adjust the claim of Franklin Stratton, late a contractor on the French Creek division of the Pennsylvania canal, for compensation for losses sustained by a change of the location of the dam and guard lock on the French Creek feeder of the Pennsylvania canal, 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.

Damages sustained by J. P. White and W. Graham to be ascertained, etc

Resolved, That it shall be the duty of the Canal Commissioners to ascertain the amount of damages sustained by James P. White and William Graham, in consequence of the destruction of a passenger car, called "Home," in August, Anno Domini, eighteen hundred and thirty-four, on plain number five, and if, in their opinion, the said loss was

occasioned by the negligence and inattention of the agents or superintendents of the state having in charge that portion of the public works, and without any negligence on the part of the claimants, then to report the amount of damages they shall think the said James P. White and William Graham shall, in equity and justice, be entitled to, which sum so reported, shall be paid out of the damage fund, as in other cases of damages sustained on our public works, and the sums so assessed, when paid, shall be in full of all claim for damages aforesaid.

WHEREAS, by a resolution of the legislature of last ^{Preamble relative to Wm. Parsons' claim..} session, the Canal Commissioners were directed to remeasure the work done by William Parsons, on section forty-four, Juniata division of the Pennsylvania canal, and to settle the same with his widow, Jane Parsons, by virtue of which resolution, the Canal Commissioners directed their engineer to remeasure the work, who reported that he had gone upon the ground, but that it was altogether impracticable to remeasure work on a section after the work was completed, and did not make the attempt; consequently nothing has been done to satisfy this claim; Therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Canal Commissioners be directed to settle ^{Claim of W. Parsons to be settled.} the claim of William Parsons, late a contractor on section forty-four, Juniata division, Pennsylvania canal, upon the principles of justice and equity, according to the contract, from the best evidence which can be laid before the board, and the said board shall have power to issue subpoenas for witnesses, and to compel their attendance by attachment, and may depute or appoint a suitable person or persons to serve such subpoenas and attachments.

NER MIDDLESWARTH,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

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

JOS. RUTNER.