

## No. 31.

**An Act.**

To authorize the Canal Commissioners to enquire into the claims for damages of Henry Eby.

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 are hereby authorized and required to inquire into and ascertain whether the loss sustained by Henry Eby in the burning of his property near the Columbia and Philadelphia Railroad, in the month of October, one thousand eight hundred and thirty-six, was caused by fire from any locomotive engine or engines belonging to the state, and if they find the said property was set on fire by fire from any locomotive engine or engines, as aforesaid, then the said Canal Commissioners shall ascertain the actual loss sustained by the said Henry Eby, and what damages he is entitled to, and shall pay the same to the said Henry Eby, out of the damage fund, and the said payment shall be allowed by the Auditor General as in other cases: *Provided,* That if it shall appear to the said Canal Commissioners, that any portion of the said property was suffered by negligence to be burned, which might by reasonable and proper exertion have been saved, no damages shall be allowed for the loss of such property so suffered to be destroyed.

LEWIS DEWART,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The seventh day of March, one thousand eight hundred and thirty-seven.

JOS : RITNER.