

No. 53.

**An Act**

To authorize the Appraisers of Damages on the Pennsylvania Canal, to enquire into and adjust the claim of damages of William M'Farland.

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 it shall be the duty of the Appraisers of Damages on the Pennsylvania Canal, to ascertain if any damage was done to and sustained by William M'Farland, Wm. M'Farland's claim in the carrying away and destruction of his salt on the river Conemaugh, in the county of Indiana, by the freshet in the month of February, one thousand eight hundred and thirty-two, and if, upon full investigation and enquiry, they shall be of opinion that any damage was sustained, and that said loss was sustained in consequence of the construction of the Pennsylvania Canal at that place, and without default or negligence on the part of the owner, and that the commonwealth ought to be responsible for the same, then to report the amount of damages they shall find the said William M'Farland shall be entitled to, taking into consideration the advantage of the canal and public improvements on said river to the property of the said William M'Farland, which sum so reported, shall be paid out of the damage fund, as in other cases of damages sustained by reason of the construction of the Pennsylvania canal, and that the said Appraisers shall in this case have power to issue subpoenas to witnesses, and if necessary, to award attachments to compel their attendance. to be ascertained.

LEWIS DEWART,

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The twenty eighth day of March, Anno Domini, one thousand eight hundred and thirty-seven.

JOS: RITNER.