

No. 10.

RESOLUTION

Relative to the claim of Gilchrist and M'Collum, and for other purposes.

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 and required to examine and adjust the claim of Gilchrist and M'Collum, contractors on lock number eighteen and section number thirty-six, on the Erie extension of the Pennsylvania canal, on just and equitable principles, so as to indemnify the said contractors for the actual cost of construction, and draw their warrant on the state treasurer for whatever amount may be awarded to the said contractors. *Erie extension relief of Gilchrist and M'Collum contractors*
Provided, It be satisfactorily proven to the said canal commissioners that the said work has been executed with proper judgment, industry, and a due regard to economy.

WHEREAS, Samuel Culbertson, John Devinney and David Watson, on the tenth September, Anno Domini, one thousand eight hundred and thirty-six, entered into a contract with the authorized agent of the commonwealth for building dam number five, on the Erie extension of the Pennsylvania canal, that they progressed with the work and procured materials sufficient for the construction of the whole of the same, according to the terms and conditions of their contract. That about the first of July, one thousand eight hundred and thirty-seven, they were directed to stop, without being paid the retained per centage or the loss sustained by them for materials which they were compelled to leave upon the ground :

Therefore,

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 and required to settle with, and pay the said Culbertson, Devinney, and Watson the amount of retained per centage on said contract, and any damages they may have sustained in consequence of the work having been discontinued. *Retained per centage to be paid to Devinney and Watson*

That Thomas Mayben, of the county of Westmoreland, is hereby authorized and empowered, under the direction of the canal commissioners, to construct a dam over the Conemaugh

Dam Cone-
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Mayben may
construct

river below the aqueduct at Lockport, of such height as he may find necessary to have a sufficient supply of water to his mill. *Provided*, Said dam is erected in such manner as not to injure the aqueduct or the public works at that place, and shall not infringe on, or injure the rights and privileges of the owner or possessor of any private property on said stream.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—This first day of March, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 11.

RESOLUTION

To authorize the Canal Commissioners to inquire into and adjust the claim of Peter Stehman.

RESOLVED, By the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the canal commissioners are hereby authorized and required to inquire into the claim for damages sustained by Peter Stehman, transporter of merchandize on the Philadelphia and Columbia railroad, in consequence of the breaking of the rope on the inclined plane near Philadelphia, by which accident it is alleged his cars were broken and destroyed, and to report the amount of damages, if any, and pay the same out of the damage fund, and the said payment shall be allowed by the auditor general as in other cases.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—This eighth day of March, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.

Col. R. R.
damages of
P. Stehman