

the neglect or misconduct of a preceding officer, they shall order the commissioners of said county to pay for the same, by orders drawn on the county treasurer, such reasonable, fair, and equitable compensation as said judges may deem just and proper.

RESOLVED, It shall be the duty of the county commissioners aforesaid, when they have paid such compensation, ordered to be paid, as aforesaid, to proceed to collect the same for the use of the county of the defaulting officer. Compensation to be collected from defaulting officer

RESOLVED, That the commissioners appointed to superintend the repairs of the Cumberland road, shall hereafter receive three dollars per day for each day actually employed. Pay of commissioners to superintend Cumberland road
Provided, It shall not exceed one hundred and fifty days in any one year.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The seventeenth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 40.

RESOLUTION

Relative to the claim of Alexander Johnston, and others.

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 instructed to examine the claim of Alexander Johnston, and allow him such compensation as they may think just, and shall certify the amount, so allowed, to the state treasurer, who, upon the production of such certificate, shall pay the same to the said Alexander Johnston, out of any moneys in the treasury, not otherwise appropriated. Canal Comr's to settle claim of Alex. Johnston

RESOLVED, That the canal commissioners be, and they are hereby authorized and required to examine and adjust the claim of George King, contractor of section eight, of the Erie extension of the Pennsylvania canal, on just and equitable principles, so as to indemnify the said contractor, for the actual cost of construction, and draw their warrant on the state treasurer for whatever amount may be awarded to the said contractor: *Provided*, It be satisfactorily proved to the said canal commissioners that the said work has been executed with proper industry, and a due regard to economy.

RESOLVED, That the canal commissioners be, and they are hereby authorized and required to examine and adjust the claim of David and James Hutchinson, contractors for the delivery of stone at lock number three, Ligonier line, Western division, Pennsylvania canal, and cause a re measurement to be made, if they deem it necessary, and pay them any balance they may find to be due, according to their contract, thirty-five cents per foot for cutting, quarrying, delivering, and so forth, and the auditor general is hereby authorized to audit the same in the way and manner other claims against the commonwealth, are audited; and if in the opinion of the canal commissioners, the said contractors are entitled to damages, in consequence of detention, caused by the supervisor, or otherwise, then they are to assess said damages.

RESOLVED, That the canal commissioners be, and they are hereby directed to examine, if any, and what amount of damages have been sustained by the citizens of Gaysport, by the overflow of the Juniata river, on the nineteenth of June last, which overflow, it is alleged, was caused by the viaduct and rail-road obstructing said stream, and causing it to overflow the property of said citizens of Gaysport; and should they think that said damage was sustained by, or in consequence of the construction of the public improvements aforesaid, they shall report the amount thereof, which shall be paid out of the fund appropriated for the payment of damages done in the construction of canals and rail-roads by this commonwealth.

RESOLVED, That it shall be the duty of the canal commissioners to examine, if any, and what amount of damages have been sustained by Jameson Harvey, Caleb Inman, Jonas Hartzell, George Sively, and George Lazarus, of Luzerne county in the overflow or injury of certain of their lands, in Plymouth and Hanover townships, in said county, caused by the erection of the Nanticoke dam, on the North Branch of the Susquehanna river, and shall report the sum or sums to which, in equity and justice, they shall think each of said before named persons entitled, which shall be paid out of the fund appropriated to payment of damages caused by the

construction of the canals and rail-roads of this commonwealth, and it shall be the duty of the said commissioners to take the examination or witnesses in reference to the said claim.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The twentieth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 41.

RESOLUTION

Relative to the building a bridge across the Rail-Road between Duke and Lime streets, in the city of Lancaster.

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 directed to erect a bridge across the rail road between Duke and Lime streets, in the city of Lancaster; *Provided,* The cost thereof shall not exceed eight hundred dollars.

Canal Comrs
to erect R. R.
bridge Lan-
caster

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The twentieth day of June, eighteen hundred and thirty-nine.

DAVID R. PORTER.