

gade, sixteenth division, be and is hereby authorized and directed to cancel and deliver up the bonds given by members of the Erie Guards and Erie Artillery, for muskets, on their delivering to him the muskets now in the possession of said companies, and that the State Treasurer be and is hereby directed to pay to Capt. James B. Loughhead the amount of expenses incurred by him in recovering State arms, stolen from the arm house of the Erie Artillery, in the borough of Erie.

WM. HOPKINS,
Speaker of the House of Representatives.

W. T. ROGERS,
Speaker of the Senate.

APPROVED—The sixth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 18.]

RESOLUTION

Authorizing the payment of the claims of Jackson M'Fadden, and for other purposes.

WHEREAS by an act of Assembly passed the thirteenth day of April, Anno Domini, one thousand eight hundred and thirty-eight, the canal commissioners were required to examine and settle the claim of Jackson M'Fadden, a contractor for lock No. second on the Lycoming line, west branch division of the Pennsylvania canal, for damages sustained in the construction of said lock: *And whereas*, the canal commissioners in obedience to the aforesaid act of Assembly did re-examine and settle the claims of said Jackson M'Fadden: *And whereas*, no provision was made for the payment of the same: *Therefore*,

RESOLVED, *By the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the State Treasurer be and is hereby authorized and required to pay to Jackson M'Fadden, or to his order, seven hundred and thirty-five dollars, provided the canal commissioners approve the same, out of any money not otherwise

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Canal comrs.
to assess and
pay damages
to Jacob
Strickler.

Dwelling
houses to be
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Upon assess-
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to transfer the
right of the
comm'th. to
a certain tract
of land.

Valuation to
be made.

Proviso.

appropriated in the treasury, which now appears to be due to the said M'Fadden upon the settlement of his account and claims, in compliance with the aforesaid act of assembly.

RESOLVED, That the canal commissioners be and they are hereby authorized and directed to cause the damages sustained by Jacob Strickler, in consequence of the location of the rail road lately made to avoid the inclined plane at Columbia through his lands, to be assessed and paid; and that the said commissioners are hereby also authorized and directed to have the dwelling houses of the said Jacob Strickler, in West Hempfield township, near Columbia, which are now in danger of destruction by the location of said rail road near the same, covered in a substantial and safe manner with zinc or slate to secure them from fire from the locomotive engines running on said road, and upon the assessment of the damages sustained by the said Jacob Strickler as aforesaid, the canal commissioners are authorized and empowered to transfer and convey to him all the right, title, interest and property of the commonwealth in and to the piece or tract of land lately conveyed by the said Jacob Strickler to the commonwealth, and the ground taken up by the said rail road adjoining the same, together with the depot and other buildings erected on said tract of land at the head of the said plane, at such valuation as may be agreed upon by the parties in payment of the damages sustained by the said Jacob Strickler, and in case the parties cannot agree upon the value of said land and buildings, the said commissioners shall sell the same at public sale for the best price they can obtain, and apply the proceeds thereof or so much as may be required for that purpose to the payment of the said damages, and pay the balance, if any, into the State Treasury; *Provided*, That the amount of damages sustained by the said Jacob Strickler may be fixed and agreed upon by the said commissioners and said Jacob Strickler, and in case the said parties cannot agree, the same shall be ascertained by the board of appraisers of damages.

WM. HOPKINS,

Speaker of the House of Representatives.

EB. KINGSBURY, Jr.

Speaker of the Senate.

APPROVED—The seventh day of June, one thousand eight hundred and forty.

DAVID R. PORTER.