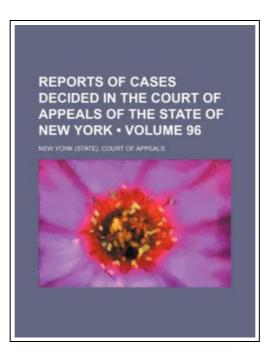
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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1884 edition. Excerpt: . that the benefits conferred upon the owner s adjoining lands by the con-struction of the canal were greater than 1110 damages, and so awarded nothing. The State took possession of the land, constructed the canal and operated it until 1878, when it was abandoned, and by act of the legislature (Chap. 391, Laws of 1878) that portion lying within the corporate limits, including the lands so taken, released to said city, and the city proceeded to lay out n street thereon. Upon claim for damages presented to the Board of Claims, held, that the deter-mination of the canal appraisers was conclusive against any claim for damages for the original taking and subsequent public use; that there was no guaranty or covenant, express or implied, on the part of the State that the canal would never be abandoned; and that the State was not liable for damages sustained by reason of such aban-donment. Whitney v. State. 240 2. As to whether the State acquired an absolute title in fee to the land in question, quoere. Id. 3. It seems that if only the right to use the land for the purposes of a canal was acquired, the act of 1878 in no way affects the rights or in-terests of the claimants or prevents them from asserting such rights. Id. case. When record on appeal in a case tried by the court contained a pa-per headed requests to find, also another paper containing exceptions to assumed...

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