

Albany - Oct. 22^d '34 -

My dear General, In answer to your letter (without date) rec^d today, I can do little more than repeat the opinion I have before expressed to you.

Mr. Van Dyck was bound, beyond all question, to keep the meadow Dykes, on the Tipton Farm, in repair; & if, in consequence of his neglect, injury has been done to ^{the} meadow, he is liable for the waste. If the Dykes, being in ordinary repair, were demolished by a storm, he would not be liable for that injury; but if, in consequence of his neglect to keep them in a state of ordinary repair, they were ruined by a storm & broken down, he is liable. He was bound to keep them in such good order, as they had been used to be kept in, & such as would resist not only the ordinary action of the water, but also such storms as, from the ~~very~~ nature of the case and their position, they were liable to encounter —

(am)

Catharine is quite well again, & with
Cecilia, desires her love to yourself &
Pierre — your sincere friend

J. D. Barnard

Mr. Van Leerhardt

J. D. Barnard
Sincerely respecting
the illness in which
your presence from

J. D.

Gen.^l Pierre Van Cortlandt

Leekskill

Westchester Co.

N. York

