

No. 341.

AN ACT

Providing for the determination and settlement of claims for damage done by the construction of the Erie division of the Pennsylvania canal.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie canal company, upon its acceptance of the provisions of this act as hereinafter provided, shall be legally liable for the payment of all damages done to private property, by the construction of the Erie division of the Pennsylvania canal, from New Castle to Lake Erie, and by the construction of the French creek feeder, which shall be assessed, determined and certified to said company in the manner hereinafter provided.
- SECTION 2.** That the canal commissioners be and they are hereby authorized and required, without delay, to consider, assess and determine all claims for damage done to private property, by reason of the construction of the Erie division of the Pennsylvania canal, from New Castle to Lake Erie, and of the French creek feeder, excepting such cases as have already been considered and determined, and cases in which releases have been executed by the owners of the property to the commonwealth whether such claims be for damage done prior to, or since the transfer of said canal to the Erie canal company; and the said commissioners, in assessing and determining such claims, shall in all respects be governed by the general laws of this commonwealth, and guided by the rules established with regard to the assessment of damages done by the construction of the public improvements of the state; and when the claims for damages shall have been finally determined, the said commissioners shall certify the same, with the amount in each case, to the president of the Erie canal company, and to the auditor general of the commonwealth, who shall communicate the same to the legislature, and if approved by the legislature, the said company are hereby authorized and required to pay the amount of the damage so found due and certified, to the persons respectively entitled to receive the same.
- SECTION 3.** The said company shall take vouchers for, and keep an account of the moneys so paid, and in case of a resumption by the commonwealth of said Erie division canal, or any part thereof, the amount so paid by the said company shall be refunded and paid back to them by the commonwealth, with interest at the same rate as by the fourteenth section of the act authorizing the governor to incorporate the said Erie canal company, is provided with regard to money expended by the said company in finishing and completing said canal.
- SECTION 4.** If the Erie canal company shall accept the provisions of this act, and communicate to the secretary of the commonwealth a copy of the resolution of acceptance, duly certified under its corporate seal, on or before the first day of August, eighteen hundred and forty-five, this act shall take effect and be in full force, otherwise it shall be null and void.

Liability for dam-
ages.

Rules for assess-
ment, &c.

Certified.

Payment.

Vouchers, &c.

Refunded on re-
sumption.

Resolution of ac-
ceptance.

SECTION 5. Nothing contained in this act shall in any manner interfere with the right of the legislature to resume the Beaver division of the Pennsylvania canal, between the Ohio river and New Castle.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

JNO. B. STERIGERE,
Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 342.

A N A C T

To provide for the ordinary expenses of the government, repair of the canals and railroads of the state, and other claims upon the commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and they are hereby specifically appropriated to the several objects hereinafter expressed, for the year commencing the first day of June, eighteen hundred and forty-five, and ending the first day of June, eighteen hundred and forty-six, to be paid out of any money in the treasury not otherwise appropriated. Appropriations.

First.—For the expenses of the executive department, to wit: The salary of the governor, three thousand dollars; the salary of the secretary of the commonwealth, twelve hundred dollars, and the further sum of five hundred dollars as superintendent of the common schools; the salary of the deputy secretary of the commonwealth, one thousand dollars; the salary of the auditor general, fourteen hundred dollars; the salary of the surveyor general, twelve hundred dollars; the salary of the attorney general, three hundred dollars; the salary of the state treasurer, fourteen hundred dollars; clerk hire in the state department, three thousand dollars; clerk hire in the auditor general's office, forty-five hundred dollars; clerk hire in the state treasurer's office, thirty-two hundred dollars; clerk hire in the surveyor general's office, thirty-five hundred dollars; salary of state librarian, seven hundred and thirty dollars: *Provided*, That from and after the first day of January, one thousand eight hundred and forty-six, the salary of the state librarian shall be five hundred dollars and no more, any law to the contrary notwithstanding. To executive department. Proviso.

Second.—For the payment of the expenses of the judiciary, ninety-seven thousand five hundred dollars: *Provided*, That the judges of the supreme court shall not be entitled to any per diem allowance, except for the number of days employed in the discharge of their judicial duties, while the court is in actual session; and each of said judges shall To judiciary department.