

Repeal.

the provisos to the thirteenth and sixteenth sections of said act be and the same are hereby repealed.

Road laws extended to Columbia county.

SECTION 10. That the provisions of the first, second, third and fourth sections of an act, entitled "An Act relative to public roads in certain counties therein named," passed the twenty-fourth day of February, A. D. eighteen hundred and forty-five, be and they are hereby extended to the county of Columbia.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 240.

AN ACT

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

Liability of Erie canal company.

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 shall be legally liable for the payment, in manner and form as hereinafter provided, of all damage done to private property, by the construction of the Conneaut line of the Erie division of the Pennsylvania canal, from the summit, at Conneaut lake, to lake Erie, which shall be assessed, determined and certified to said company, in the manner hereinafter provided.

Canal commissioners to assess damages.

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 Conneaut line of the Erie division of the Pennsylvania canal, from the summit, at Conneaut lake, to lake Erie, excepting such cases as have already been considered, if any there be, 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 fully

To be governed by rules, &c.

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, as hereinafter provided, the amount of damage so found due and certified, to the persons respectively entitled to receive the same.

SECTION 3. All claims for damages by the provisions of this act, made payable by the Erie canal company, shall be paid with interest, at six per cent. per annum, on the first day of January, eighteen hundred and fifty, as debts of the said company, for the construction of the said canal, are payable.

SECTION 4. The said company shall take vouchers for and keep an account of the payments so made, and in case of a resumption by the commonwealth of said Conneaut line, 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 rate of six per cent. per annum.

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.

SECTION 6. That the canal commissioners be and they are hereby authorized and required to examine and assess all claims for damages done to private property, not heretofore assessed or released to the commonwealth, by the construction of the Shenango line, Erie extension, Pennsylvania canal, and report the same to the next legislature.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 241.

AN ACT

Authorizing the commissioners of Perry and Wyoming counties, to re-construct certain bridges in said counties.

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 commissioners of Perry county are hereby authorized, if they deem it necessary for the public convenience, to re-construct a bridge across the mouth of Sherman's creek, on or near the old site, without obtaining the consent of the court and grand jury, as is required by existing laws.*