

All damages arising from any exercise of the power conferred by this subsection shall be ascertained, recovered, and paid as provided by the forty-first section of the act, approved April twenty-ninth, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), and the amendments and supplements thereto.

Damages.

APPROVED—The 21st day of May, A. D. 1921.

WM. C. SPROUL.

No. 385.

AN ACT

Supplementary to an act, entitled "An act granting to water power companies, and other corporations owning or controlling water power, authority to develop and distribute electric power by means of their water power, and to erect, construct, and maintain the necessary buildings, plant, and apparatus for that purpose," approved the second day of July, one thousand eight hundred and ninety-five (Pamphlet Laws, four hundred and twenty-five), by extending the power of every corporation heretofore organized or hereafter to be organized for the purpose of supplying water power to the public; and granting to every such corporation the power to appropriate property outside the limits of public streets, lanes, alleys, and highways, subject to the finding by the Public Service Commission of the Commonwealth of Pennsylvania that the service to be furnished through the exercise of said power is necessary or proper for the service, accommodation, convenience, or safety of the public; and providing a method for the assessment of damages arising from such appropriation.

Section 1. Be it enacted, &c., That the following section be, and the same is hereby, added as section two to the act, entitled "An act granting to water power companies, and other corporations owning or controlling water power, authority to develop and distribute electric power by means of their water power, and to erect, construct, and maintain the necessary buildings, plant, and apparatus for that purpose," approved the second day of July, one thousand eight hundred and ninety-five (Pamphlet Laws, four hundred and twenty-five):

Water power companies.

Act of July 2, 1895 (P. L. 425), supplemented.

Section 2. Every corporation heretofore organized or hereafter to be organized under the laws of this State for the purpose of supplying water power to the or limitation of, any of their present rights and powers, and for the purpose of supplying current and power to public shall, in addition to, and without impairment the public, individuals, firms, and corporations have the following rights and powers:

Additional powers.

(a) To purchase, construct, erect, operate or maintain necessary plants, works, equipment, and facilities for the developing of electric current and power, or either of them, by means of water power, or for the transmission or distribution thereof.

Necessary plants, etc.

Eminent domain.

Streams and land which cannot be taken.

Land covered by streams.

Approval of Public Service Commission.

Municipalities already supplied.

Certificate of public convenience.

Act of April 13, 1905 (P. L. 152), not affected.

(b) To appropriate property, outside the limits of public streets, lanes, alleys, or highways, necessary for its corporate use in the construction, erection, operation, or maintenance of its buildings, machinery, apparatus, plants, works, equipment, and facilities for developing power and current, or either of them, by means of water power, or for the transmission or distribution thereof, except that streams, rivers, or waters of this Commonwealth, or any of them, or the land covered thereby, or other public property, or property of a public service company, or property used as a burying-ground or place of public worship, or a dwelling-house or the reasonable curtilage, not to be less than three hundred feet, appurtenant thereto, shall not be appropriated by virtue of the power conferred by this subsection: Provided as follows: (1) That for the purpose of transmission or distribution of power and current so developed, or either of them, land covered by the streams, rivers, or waters of this Commonwealth, or any of them, may be appropriated by virtue of said power; (2) that before any such corporation shall exercise the power conferred by this subsection, the Public Service Commission of the Commonwealth of Pennsylvania, upon application of such corporation, shall have found and determined, after public hearing, that the service to be furnished by said company through the exercise of said power is necessary or proper for the service, accommodation, convenience, or safety of the public; (3) that no corporation shall at any time, directly or indirectly, utilize any system or systems of transmission or distribution, or any parts thereof, acquired, constructed, erected, used, or operated, through the exercise of the power conferred by this subsection (b), to enable it, subsequent to the passage of this act, to supply or commence to supply, within the limits of any city, borough, township, or district, in which, at the time of said commencement or proposed commencement, a company incorporated for the supply of light, heat, and power, or any of them, to the public by electricity, is lawfully supplying light, heat, and power by electricity, without first securing a certificate of public convenience from the Public Service Commission of the Commonwealth of Pennsylvania authorizing such company to supply such service in such city, borough, township, or district; provided that in such case, said system or systems of transmission and distribution, or parts thereof, may be utilized to supply electric current and power to the then supplying company; (4) that nothing contained in this act, except as herein otherwise expressly provided, shall be construed as in any wise repealing, amending, or modifying the act, entitled "An act providing that the right of eminent domain as respects the appropriation of streams, rivers

or waters or the land covered thereby shall not be exercised by water companies incorporated under law," approved the thirteenth day of April, one thousand nine hundred and five (Pamphlet Laws, one hundred fifty-two).

All damages arising from any exercise of the power conferred by this subsection shall be ascertained, recovered, and paid as provided by the forty-first section of the act, approved April twenty-ninth, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), and the amendments and supplements thereto.

APPROVED—The 21st day of May, A. D. 1921.

WM. C. SPROUL.

No. 386.

AN ACT

To amend section six and seven of the act, approved the third day of June, one thousand nine hundred and nineteen (Pamphlet Laws, three hundred sixty-six), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties."

Section 1. Be it enacted, &c., That section six of the act, approved the third day of June, one thousand nine hundred and nineteen (Pamphlet Laws, three hundred sixty-six), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," which reads as follows:—

"Section 6. The Superintendent of State Police is authorized to appoint the State Police Force, which shall consist of five troops, each consisting of: **A captain, at a salary of twenty-four hundred dollars per annum; a lieutenant, at a salary of eighteen hundred dollars per annum; a first sergeant, at a salary of fifteen hundred dollars per annum; five sergeants, each at a salary of thirteen hundred and eighty dollars per annum; ten corporals, each at a salary of thirteen hundred and**

Department
of State Police.

Act of June 8,
1919 (P. L.
366), amended.

Section 6, cited
for amendment.