

Approval and execution of deeds.

this Commonwealth by the authority of the act to which this is a supplement, and which are outside the basin of the Pymatuning Reservoir. All deeds for such property shall be approved by the Attorney General, and shall be executed in the name of the Commonwealth of Pennsylvania by the [Chairman and Secretary of the Water Supply Commission of Pennsylvania, or their successors in authority] *Secretary of Forests and Waters*.

Section 2 of act amended.

Section 2. That section two of said act is hereby amended to read as follows:

Additional power over said lands.

Section 2. The [Water Supply Commission] *Department of Forests and Waters* may, also, on such terms and subject to such conditions as it deems most advantageous to the Commonwealth, (a) cut timber on any of the lands so acquired, and sell the same; (b) sell any improvements on any of such lands; (c) rent or lease any part or parts of said lands for farming or other purposes; and (d) rent or lease any houses or buildings on said land for dwelling or other purposes.

Section 3 of act amended.

Section 3. That section three of said act is hereby amended to read as follows:

Appropriation of moneys derived therefrom.

Section 3. All moneys derived from any of the sources authorized by this act are hereby permanently appropriated to the [Water Supply Commission of Pennsylvania] *Department of Forests and Waters* for use in the purchase of additional lands under the provisions of the act to which this is a supplement, and for such other purposes in connection with the Pymatuning Reservoir project as the [commission] *Department* deems expedient.

APPROVED—The 13th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 352.

AN ACT

Authorizing the Department of Forests and Waters, through the Water and Power Resources Board, to complete the work begun and continued under an act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred seventy), entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," and its amendments and supplements; and making an appropriation for such purpose.

Pymatuning reservoir.
Definitions.

Section 1. Be it enacted, &c., That the word "Department," as used in this act, shall mean the Department of Forests and Waters and the word "Board"

shall mean the Water and Power Resources Board of the Department of Forests and Waters.

Section 2. The Department through the Board is hereby authorized and directed to complete the work begun and continued under an act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," and its amendments and supplements.

Work begun under act of July 25, 1913 (P. L. 1270), to be completed.

Section 3. The Department, through the Board, is hereby authorized and directed to cause a dam to be constructed or completed across the outlet of Pymatuning Swamp in Crawford County, for the purpose of establishing a reservoir and conserving the water entering said swamp, and for the purpose of regulating the flow of water in the Shenango and Beaver rivers. The dam shall be constructed and the reservoir established in accordance with plans and specifications which shall be prepared by or under the direction of the Department, and shall be so constructed and established as to conserve said waters in a safe and practical manner and to regulate the flow therefrom so as to maintain throughout the year as regular a flow of water as possible in said rivers.

Dam to be constructed.

Manner of construction.

Section 4. In carrying out said plans the Department of Forests and Waters may acquire, in the name of this Commonwealth, by purchase, condemnation, or otherwise, such lands and materials as may be needed in carrying out the provisions of this act.

Lands and materials may be acquired.

Section 5. In acquiring any of the said lands or materials, if the Department cannot agree with the owners thereof or if the owner cannot be found or is not sui juris, the Department may file its petition in the court of common pleas of the county wherein the lands or materials are situated, praying for the appointment of viewers to ascertain the fair value of such land or materials. Thereupon the court shall appoint from among the members of the board of viewers of the county three viewers who by personal inspection and otherwise of the land or materials proposed to be acquired shall ascertain and fix the fair value thereof. The court shall fix a time, not less than ten days nor more than twenty days thereafter, for the viewers to meet, either upon said lands or otherwise. Notice of the time and place of meeting of such viewers shall be given where practicable by personal service upon the owner or by such other service as the court may direct. When the viewers shall have com-

Proceedings for condemnation of land or materials.

Viewers.

Meeting of viewers.

Notice.

Report.	pleted their labors they shall file their report in writing in the said court. If no exceptions shall be filed thereto within thirty days from the filing of the report, or if no appeal therefrom be filed within said time demanding a trial by jury, the said report shall
Confirmation.	be confirmed absolutely. After final judgment on any appeal from the award of viewers an appeal may be
Appeal.	had to either the Supreme Court or Superior Court, as the case may require. Except as is otherwise hereinafter provided, in all pending proceedings and proceedings hereafter instituted the compensation of the
Payment of compensation of viewers and costs of proceedings.	viewers, together with all the costs of the proceedings, shall be paid from any of the appropriations made by the Commonwealth of Pennsylvania to the Department of Forests and Waters and available for the purchase of said lands and for otherwise carrying out the provisions of this act, and in no such case shall the compensation of any of such viewers or the costs of any of such proceedings be assessed against or ordered to be paid by the county in which the proceedings are instituted; but if upon any appeal the award of the viewers is not increased or modified in favor of the appellants the entire cost of the proceedings subsequent to such award shall be paid by the appellants. In so far as practicable the Department may include in one petition proceedings for the condemnation of all land in one county proposed to be acquired.
Proceedings for condemnation of all land to be included in one petition.	
Guardians, committees or trustees may be appointed.	In any proceedings under this section the court may appoint such guardian or committees or trustees as the case may require, and may in all cases prescribe the form and manner of service of any notice required in any proceedings under this act.
Assessment of damages.	Whenever property in Pennsylvania is injured or destroyed by reason of the erection and maintenance of the dam and reservoir provided for in this act, and the Department cannot agree with the owner of such property as to the amount of such damages, the said damages shall be ascertained on the petition of the Department, or any person interested, in the manner provided by section three of this act for ascertaining damages for property acquired under authority of this act.
Land or buildings outside the basin may be sold.	Section 6. The Department may in its discretion sell at public or private sale and convey title thereto in the name of the Commonwealth of Pennsylvania any land or buildings or both acquired by it in the name of this Commonwealth by the authority of this act and which are outside the basin of the Pymatuning Reservoir. All deeds for such property shall be approved by the Attorney General and shall be executed in the name of the Commonwealth of Pennsylvania by the Secretary of Forests and Waters. The Department may also on such terms and subject to such con-
Approval and execution of deeds.	
Other powers of Department.	

ditions as it deems most advantageous to the Commonwealth (a) cut timber on any of the lands so acquired and sell the same, (b) sell any improvements on any of such lands, (c) rent or lease any part or parts of said lands for farming or other purposes, and (d) rent or lease any houses or buildings on said land for dwelling or other purposes.

All moneys derived from any of the sources authorized by this act are hereby permanently appropriated to the Department for use in the purchase of additional lands under the provisions of this act and for such other purposes in connection with the Pymatuning Reservoir project as the Department deems expedient.

Appropriation of Proceeds.

Section 7. The sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Forests and Waters for the purpose of continuing the erection and construction of said dam for carrying out the provisions of this act.

Appropriation.

Section 8. The following acts and parts of acts are hereby repealed:

Repeal.

The act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation."

Act of July 25, 1913 (P. L. 1270).

The act, approved the twentieth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and twenty-eight), entitled "A supplement to an act, entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation'; approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy); providing for the ascertaining of damages for property injured or destroyed by reason of the erection and maintenance of such dam and reservoir."

Act of July 20, 1917 (P. L. 1128).

The act, approved the fifteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred and fifty-nine), entitled "An act to amend an act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled 'An act providing for the erection of a dam at

Act of July 15, 1919 (P. L. 959).

the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation."

Act of May 22,
1925 (P. L. 805).

The act, approved the twenty-second day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred and five), entitled "A supplement to the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation'; providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof."

Other acts inconsistent.

All other acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 13th day of May, A. D. 1925, except the item which makes an appropriation of one hundred thousand dollars (\$100,000). I withhold my approval from this appropriation because of insufficient State revenue.

GIFFORD PINCHOT.

No. 353.

AN ACT

To amend section forty-two of the act, approved the fifteenth day of April, one thousand eight hundred and thirty-four (Pamphlet Laws, five hundred and thirty-seven), entitled "An act relating to counties and townships and county and township officers," by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services and reimbursing them for necessary expenses incurred in collecting and transmitting money for the Commonwealth prior to the passage of this act.

Section 42, act of
April 15, 1834 (P.
L. 537), amended.

Section 1. Be it enacted, &c., That section forty-two of the act, approved the fifteenth day of April, one thousand eight hundred and thirty-four (Pamphlet Laws, five hundred thirty-seven), entitled "An act relating to counties and townships, and county and township officers," is hereby amended to read as follows:

County treasurers
shall be agents of
Commonwealth for
collection of
money.

Section 42. *County treasurers of the several counties shall be the agents of the Commonwealth for the collecting and transmitting of money for the Commonwealth. Each county treasurer shall be entitled to deduct from the gross amount of moneys received by him for the use of the Commonwealth, on each sepa-*