

[No. 68.]

A N A C T

Relative to the claims of Royer and Schmucker for damages sustained on the Frankstown Branch of the Juniata river, by the construction of the Pennsylvania Canal, and for other purposes.

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 canal commissioners be and they are hereby authorized and required to examine into the claim of John Royer and George Schmucker, doing business under the firm of Royer and Schmucker, for damages done to Cove Forge, and other property, belonging to them on the Frankstown branch of the Juniata river, by reason of the construction of the Pennsylvania canal, taking into consideration the advantages derived by them from the same; also into the damages sustained by them by the freshet in June, one thousand eight hundred and thirty-eight, and whether the destruction or injury to their property occasioned thereby, was caused in any degree by the construction of the state works on the said canal, and to award to the said Royer and Schmucker, such sum for their damages as on a full examination of the whole case, they shall deem them to be entitled to, and to draw their warrant upon the state treasurer in their favor for such amount, to be paid out of any moneys in the state treasury not otherwise specifically appropriated: *Provided,* That the said Royer and Schmucker, if dissatisfied with the sum awarded by the said canal commissioners shall have the same right of appeal to the board of appraisers, and under the same regulations and provisions as are provided in other cases.

SECTION 2. That the canal commissioners be and they are hereby authorized to settle the claim of George D. Foreman, for compensation for building locks number one and ten of the Erie extension of the Pennsylvania canal, on fair and equitable principles, and if any thing shall be due to him, to draw their warrant on the treasury for the sum awarded, out of any moneys in the said treasury not otherwise appropriated: *Provided,* That said injury shall not extend beyond the claim for stone quarried, and alleged to have been suitable for the purpose which he was not permitted to use, and which were afterwards used by the Commonwealth, and for alterations in his contracts, and verbal or written arrangements with the officers of the line.

Canal comm's
to examine
claim of
Royer and
Schmucker

Proviso

To settle
claim of Geo.
D. Foreman
for building
locks

Proviso

SECTION 3. That it shall be lawful for the county commissioners, and the prothonotary of the county of Monroe, to have the lists of jurors drawn to serve at the several courts of said county, and the trial and argument lists of the several terms of said courts published in one newspaper printed and published in said county, for any time not less than two nor more than four weeks prior to the commencement of the terms of said courts. And it shall be the duty, and be lawful for the said commissioners to pay a reasonable compensation for such publication out of the county funds of said county: *Provided*, The whole amount paid per annum shall not exceed the sum of twenty-five dollars.

SECTION 4. That there shall be, and hereby is established, in the borough of Bedford, in the county of Bedford, an academy or public school for the education of youth in the English and other languages, and in the useful arts, sciences and literature, by the name, style and title of the Bedford classical academy, under the care and direction of six trustees, and their successors in office, shall be, and are hereby declared to be one body politic and corporate, in deed and in law, by the name and style of the trustees of the Bedford classical academy, and by the same name shall have perpetual succession, with all the powers and privileges, and be subject to the same terms and conditions that are provided in the act to incorporate the Honesdale academy, in Wayne county, passed the thirtieth of April, one thousand eight hundred and thirty-eight.

SECTION 5. The first election for trustees of the said academy shall be held at the county hall, in the borough, on the last Saturday of March, one thousand eight hundred and forty-two, and on the last Saturday of March thereafter annually.

SECTION 6. That James M. Russell, Doctor F. B. Barclay, John Mower, Honorable Job Mann, Doctor J. H. Hofius and John Watson, are hereby appointed trustees of said corporation, until their successors are elected, with the same powers as are herein vested in the board of trustees hereafter to be elected.

SECTION 7. That the act incorporating the Bedford academy, passed the twentieth day of March, Anno Domini, one thousand eight hundred and ten, be and the same is hereby repealed.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The thirty-first day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER