

ing of same to public use, the department shall have power and authority, with the approval of the Governor, to lease as lessee any or all of the projects completed by the Authority, or opened to public use, for a term, with respect to each project leased, not exceeding thirty (30) years, at such rental or rentals as may be determined by the Authority.

Section 2. This act shall become effective immediately upon its final enactment. Act effective immediately.

APPROVED—The 29th day of May, A. D. 1951.

JOHN S. FINE

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No. 125

AN ACT

To further amend section 319 of the act, approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by providing for the proration of attorney's fees and expenses in subrogation cases.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

The Workmen's Compensation Act of 1915.

Section 1. Section 319 of the act, approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as last amended by the act, approved the eighteenth day of May, one thousand nine hundred forty-five (Pamphlet Laws 671), is hereby further amended to read as follows:

Section 319, act of June 2, 1915, P. L. 736, as last amended by act of May 18, 1945, P. L. 671, further amended.

Section 319. Where the compensable injury is caused in whole or in part by the act or omission of a third party, the employer shall be subrogated to the right of the employe, his personal representative, his estate or his dependents, against such third party [for the balance of any sum recovered in litigation, or paid in compromise settlement, after subtraction of reasonable attorney's fees and other proper disbursements, but only] to the extent of the compensation payable under this article by the employer; *reasonable attorney's fees and other proper disbursements incurred in obtaining a re-*

Employer's right of subrogation.

Proration of attorney's fees and expenses.

Disposition of  
recovery by  
employer in  
excess of com-  
pensation paid.

*covery or in effecting a compromise settlement shall be prorated between the employer and employe, his personal representative, his estate or his dependents. Any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employe, [or to the] his personal representative, his estate or his dependents, and shall be treated as an advance payment by the employer on account of any future instalments of compensation.*

APPROVED—The 29th day of May, A. D. 1951.

JOHN S. FINE

No. 126

AN ACT

To further amend subsection (a) of section 1403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the re-settlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for ten days' notice to the Department of Revenue of the transfer in bulk of fifty-one per centum or more of certain personalty, building or real estate; \* and further prescribing the duties and liabilities of the respective parties as to taxes owing to the Commonwealth.

"The Fiscal Code."

Subsection (a) of section 1403, act of April 9, 1929, P. L. 343, as last amended by act of June 6, 1939, P. L. 261, further amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (a) of section 1403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due

\* "building or real estate" deleted from original.