

thirty-five (Pamphlet Laws, three hundred and twenty), is hereby further amended to read as follows:

Maintenance.

Section 1. Be it enacted, &c., That where any section of a State highway route, as now or hereafter defined by law, shall be, or has been, relocated under the authority of existing or future laws, the portion of the public road or highway, thus abandoned as a State highway route, shall be maintained by, and at the expense of, [the authorities responsible for the maintenance of said public road or highway prior to its having been established as a State highway or a State aid highway, and where any such abandoned section of State highway was at any time a part or portion of a turnpike or toll road, the abandoned portion shall be maintained by, and at the expense of] the township, *borough, incorporated town or city* wherein it is located, *but the Department of Highways shall in each case, before abandoning such portion of public road or highway, improve and repair the same so that it shall be in first class condition when it is taken over by the township, borough, incorporated town or city.*

Highway department must repair before abandonment.

Section 2, added to said act as amended.

Section 2. That the aforesaid act is further amended by adding thereto the following new section.

Section 2. Where the width, lines or location of a State highway shall be or have been changed, altered or established, according to law, in a manner which does not create an entirely new highway, the section or sections, or portions of the right-of-way of the highway, as previously established, which are not included within the changed, altered or established widths shall be considered vacated, if such portions or sections are not of the full width of the highway, as previously established.

Act effective immediately.

Section 3. This act shall take effect immediately upon its final enactment.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 206

AN ACT

To amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive* Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and

* "Exectuvie" in original.

commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

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

"The Administrative Code."

Section 1. Section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," is hereby amended by adding at the end thereof, one new clause to read as follows:

Section 2003,
act of April 9,
1929, P. L. 177,
amended.

Section 2003. Machinery, Equipment, Lands and Buildings.—The Department of Highways shall have the power, and its duty shall be:

* * * *

(h) *To take and condemn rights-of-way over private property, as agent for the Federal Government, where such rights-of-way are not a part of the system of State highways and where satisfactory provisions for reimbursement for the expenses thereof by the Federal Government are made. Any such condemnation shall be under the same procedure as in the case of condemnation for State highways.*

Act effective
immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 21st day of May, A. D. 1943.

DWARD MARTIN

No. 207

AN ACT

To authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

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

Political sub-
divisions may
obtain judgments
upon tax or
municipal claims
by following
certain pro-
cedure.

Section 1. Whenever any city, borough, incorporated town, township or school district has heretofore filed, in the office of the prothonotary of the proper county, any tax or municipal claim, and the city, borough, incorporated town, township or school district has not, within the period of five years after the date on which any such claim was filed, sued out a writ of scire facias to reduce the claim to judgment, or in the case of a tax claim, has not, within said period of five years, filed a suggestion of nonpayment and an averment of default or filed an amicable scire facias, or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings, judgment has not been entered within the period of five years after the date on which such writ was issued, or whenever any such tax or municipal claim has been reduced to judgment and the city, borough, incorporated town, township or school district has not, within the period of five years after the date on which such judgment was entered, or within five years after the date on which such judgment was last revived, filed a suggestion of nonpayment and an averment of default, or sued out a writ of scire facias to revive the same, then, in any such case, any such city, borough, incorporated town, township or school district may, within six months after the passage and approval of this act, issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law, to obtain judgments upon tax or municipal claims; or in case a writ of scire facias has been issued, but the same has not been reduced to judgment within five years from the date of issuance, issue

May revive
judgment where
lien has been
lost.