

the *State Highway* Commissioner may proceed with the work of construction, reconstruction, or improvement, and the owner or owners of said property damaged thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages. The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways; and such damages, when ascertained, *shall be paid by the county in which the State Highway is located.*

Failure to agree

Viewers.

Damages to be paid by county.

Section 3. The act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand forty), entitled "An act relating to the assessment and payment of damages to owners of property abutting on State Highways, in certain counties, damaged by a change of the existing lines and location of such State Highway; imposing certain powers and duties upon the Highway Commissioner and the county Commissioners; and providing for the payment of such damages by such counties," be, and the same is hereby, repealed.

Act of July 18, 1917 (P. L. 1040), repealed.

APPROVED—The 5th day of April, A. D. 1921.

WM. C. SPROUL.

No. 63.

AN ACT

To further amend section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled "An act relating to roads, highways, and bridges"; fixing the width of public roads.

Section 1. Be it enacted, &c., That section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled "An act relating to roads, highways and bridges," which, as amended by the act, approved the seventh day of June, one thousand nine hundred and seven (Pamphlet Laws, four hundred and fifty-two), entitled "An act to amend the fifth section of an act, entitled 'An act relating to roads, highways, and bridges,' approved the thirteenth day of June, Anno Domini one thousand eight hundred thirty-six," reads as follows:—

Public roads.

"The breadth of a private road shall not in any case exceed twenty-five feet, and the width of a public road shall not *exceed eighty feet,*" is hereby further amended to read as follows:—

Section 5, act of June 13, 1836 (P. L. 551), as amended by act of June 7, 1907 (P. L. 452).

Width.

Section 5. The breadth of a private road shall not in any case exceed twenty-five feet, and the width of a public road shall not be less than *thirty-three feet nor more than one hundred and twenty feet.*

APPROVED—The 6th day of April, A. D. 1921.

WM. C. SPROUL.

No. 64.

AN ACT

To amend section five of an act, approved the eighteenth day of April, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, seventy-one), entitled "An act providing for the control and eradication of the European wart disease of the potato; imposing certain powers and duties upon the Department of Agriculture; providing penalties; and making an appropriation."

Wart disease of the potato.

Section 1. Be it enacted, &c., That section five of the act, approved the eighteenth day of April, Anno Domini one thousand nine hundred and nineteen, entitled "An act providing for the control and eradication of the European wart disease of the potato; imposing certain powers and duties upon the Department of Agriculture; providing penalties; and making an appropriation," which reads as follows:—

Section 5, act of April 8, 1919 (P. L. 71), cited for amendment.

"Section 5. Any person, copartnership, association, or corporation, violating any provision of this act or any rule or regulation adopted by the Secretary of Agriculture under the authority of this act, shall be *guilty of a misdemeanor, and, on conviction, shall be sentenced to pay a fine not exceeding two hundred dollars for each offense.* All fines collected under this act shall be paid to the Secretary of Agriculture or his agent, and by him shall be paid into the State Treasury," is hereby amended to read as follows:—

Penalty.

Jurisdiction.

Nonpayment.

Appeal.

Disposition of fines.

Section 5. Any person, copartnership, association, or corporation, violating any provision of this act or any rule or regulation adopted by the Secretary of Agriculture under the authority of this act, shall be *subject to a fine or penalty of not more than one hundred dollars for each offense, to be collected by summary conviction before any mayor, burgess, magistrate, alderman, or justice of the peace, as like fines and penalties are now by law collected, and, in case of nonpayment of said fine, to undergo an imprisonment in the county jail for a period not exceeding five days: Provided, That any person so convicted shall have the right of appeal as in other cases of summary conviction.* The fines collected under this act shall be paid to the Secretary of Agriculture or his agent, and by him shall be paid into the State Treasury.

APPROVED—The 6th day of April, A. D. 1921.

WM. C. SPROUL.