

liness, convenience, comfort, and safety of the people of the county; and said Board of County Commissioners, upon their appropriating money for health work as provided for herein, shall cooperate with the State Department of Health and boroughs and first-class townships, within their respective counties, in the promotion of health work.

*They shall cooperate with the State Department of Health.*

Section 2. In case any health officers are appointed under section one of this act, such appointees shall be approved by the State Department of Health, and such appointees shall have the same powers and duties as are now prescribed for the same officers in boroughs and first-class townships.

*Approval of appointees by State Department of Health.*

APPROVED—The 17th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 22.

### AN ACT

Relating to the allocation of moneys to the different counties by the Department of Highways for the construction of highways; providing a method to compel the county commissioners to apply for such moneys; and extending the time for filing applications for money allocated but unexpended prior to the approval of this act.

Section 1. Be it enacted, &c., That whenever the county commissioners of the various counties of this Commonwealth are authorized and required to file application with the Department of Highways in order to secure for their respective counties any money or a proportionate share of any money, allocated by the Department of Highways for the construction of highways within such counties, and any such county commissioners shall refuse or fail to file such application thirty days before the last day fixed for the filing thereof, a petition, signed by a majority of the township commissioners or supervisors in a majority of the townships of such county, may be presented to the court of quarter sessions of such county, requesting the court to order the county commissioners to file their application for the county's share of such money. If, after due hearing had before such court, it shall appear that the truth of the matters alleged in the petition are sustained, the court shall make an order directing the county commissioners to forthwith file their application for the moneys allocated to such county.

*Money allocated to counties by Department of Highways.*

*If county commissioners fail to file application.*

*Petition to Court to order Commissioners to file such application.*

*Court shall make order if petition is sustained.*

Section 2. The provisions of this act shall apply in all cases where money has been allocated by the Department of Highways to the various counties prior to the approval of this act, but not expended in such

*Where act shall apply.*

Time for filing.

cases; the last day for filing applications therefor shall be sixty days after the approval of this act.

APPROVED—The 17th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 23.

AN ACT

To amend route number one hundred and two, of section six, of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred and sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Section 6, act of  
July 11, 1923 (P.  
L. 1063)  
amended.

Section 1. Be it enacted, &c., That route number one hundred and two of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of