

No. 98

## AN ACT

To amend section twenty-one of the act, approved the thirteenth day of June, one thousand eight hundred thirty-six (Pamphlet Laws, five hundred fifty-one), entitled "An act relating to roads, highways and bridges," providing for the vacation of parts of former State roads and turnpike roads where State highways are changed or relocated.

Section 1. Be it enacted, &c., That section twenty-one of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred fifty-one), entitled "An act relating to roads, highways and bridges," is hereby amended to read as follows:

Section 21. The said courts respectively, shall also have power in the manner aforesaid, to inquire of and vacate any part of a state road within the respective county, which shall have been supplied and rendered useless by a substantial and permanent turnpike road, made and completed according to law; [but no stockholder in such turnpike road shall in such case be a viewer or reviewer] *and also to inquire of and vacate any part or parts of any former state road or turnpike road which was adopted as a State highway, where such part, or parts thereof, due to the change or relocation of the State highway, no longer form a part of such State highway.*

APPROVED—The 22d day of April, A. D. 1937.

GEORGE H. EARLE

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No. 99

## AN ACT

Conferring on the Department of Highways power to enter upon private property for the purposes of making surveys of proposed highway improvements; providing for the payment of damages; and providing penalty for interference.

Section 1. Be it enacted, &c., That the Department of Highways shall have the power and is hereby authorized to enter upon any lands or enclosures for the purpose of making surveys to assist that department in determining whether any State highway should be relocated, widened or improved, and all surveys in connection with the actual relocation, widening or improvement of any State highway. Any entry made, pursuant to the provisions of this act, by any duly authorized employes of the Department of Highways, shall not be deemed a trespass under existing law.

Highways.  
Section 21, act of June 13, 1836 (P. L. 551), amended.

Power of courts to vacate State roads.

Highways.  
Department of Highways given the power to enter upon lands for the purpose of making surveys.

Damages to be determined and paid according to law.

Section 2. Any damages sustained by the owner or owners of land entered upon by the Department of Highways for the purpose herein provided shall be determined and paid in the manner provided by law for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction, improvement, maintenance, and repair, or in the preparation of materials for such purpose, of roads, highways or bridges under the jurisdiction of the department, and for which the Commonwealth is responsible for maintenance, and attributed to negligence or carelessness on the part of the employes of the department.

Penalty for interfering with this right of the department.

Section 3. If any person shall interfere with or obstruct the exercise of the authority herein conferred, such person shall, for every such offense, forfeit and pay the sum of not less than five dollars nor more than twenty dollars, such penalty to be recovered by summary conviction in an action before any magistrate, alderman or justice of the peace, and such fines, as shall be imposed, shall be transmitted to the State Treasury of the Commonwealth of Pennsylvania and credited to the Motor License Fund. The penalty herein provided shall be in addition to, and not in lieu of, any penalties imposed by existing law.

When effective.

Section 4. This act shall become effective immediately upon its approval by the Governor.

APPROVED—The 22d day of April, A. D. 1937.

GEORGE H. EARLE

No. 100

AN ACT

To authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions.

Relocation of State highways.

Section 1. Be it enacted, &c., That when the terminal point of one or more State highway routes is described as being at the boundary line of a county, township, municipality or adjoining state and the highway continues beyond such point, the Secretary of Highways shall have authority to relocate such State highway route or routes, in accordance with the provisions of present or future laws governing the relocation of State highways, without limitation on account of such terminal point, except that the new point of crossing of such line shall be properly referenced and shown on the plan by which the relocation is made.