

way for the relocation of any such public service right of way and facilities. *The substitute right of way thus acquired shall be equal in estate to the right of way taken and occupied for highway purposes, and upon approval by the Governor of any plan providing for the occupancy of the right of way of any public service company and providing a substitute right of way therefor, the Secretary of Highways shall make, execute, acknowledge and deliver to such company a deed conveying to it an estate in the substitute right of way, at least equal to that owned and enjoyed by the company, for the right of way to be occupied for highway purposes, or if such substitute right of way is to be acquired by purchase, as hereinbefore provided, the Secretary of Highways shall procure and deliver to the company a deed conveying such estate to it from the owner of the land on which such substitute right of way is located.*

The right of way of a railroad company shall not be acquired or occupied without the consent of the company owning or operating or in possession of said railroad.

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

Act effective
immediately.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 377

AN ACT

To further amend section 1201 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further providing for the sale of borough property.

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

"The Borough
Code."

Section 1. Section 1201 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as last amended by the act, approved the nineteenth day of July, one thousand nine hundred fifty-one (Act No. 217), is hereby further amended to read as follows:

Section 1201, act
of May 4, 1927,
P. L. 519, as last
amended by act
of July 19, 1951
(Act No. 217),
further amended.

Section 1201. General Powers.—A borough may:

I. Have succession perpetually by its corporate name.
II. Sue and be sued, and complain and defend in the courts of the Commonwealth.

III. Make and use a common seal, and alter the same at pleasure.

IV. Purchase, acquire by gift, or otherwise, hold, lease, let, and convey, by sale or lease, such real and personal property as shall be deemed to be to the best interest of the borough: Provided, That no real estate owned by the borough shall be sold for a consideration in excess of five hundred dollars, except to the highest bidder after due notice by advertisement for bids in one newspaper of the county. Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids, and such date for opening *bids shall be announced in such advertisement. The acceptance of bids shall be made only by public announcement at the meeting at which bids are received. All bids shall be accepted on the condition that payment of the purchase price in full shall be made within ten days of the acceptance of bids.

No borough personal property shall be disposed of, by sale or otherwise, except upon approval of council, by ordinance or resolution. In cases where council shall approve a sale of such property, it shall estimate the sale value of the entire lot to be disposed of. If council shall estimate the sale value to be two hundred dollars or more, the entire lot shall be advertised for sale once, in at least one newspaper of the county, not less than ten days prior to the date fixed for the opening of bids, and such date for opening bids shall be announced in such advertisement, and sale of the property so advertised shall be made to the best responsible bidder.

The provisions of this [section] *clause* shall not be mandatory where borough property is to be traded in or exchanged for new borough property.

*The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where borough real or personal property is to be sold to a **municipal authority pursuant to the Municipality Authorities Act of 1945.*

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 378

AN ACT

To amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for the payment of expenses of teachers' meetings by the county treasurer.

* "bids" omitted in original.
 ** "municipality" in original.