

No. 210.

AN ACT

Conferring on the Department of Highways the right to change or protect existing stream channels on private lands adjacent to highways in order to protect the highways in a proper manner; and providing for the approval of said changes by the Department of Forests and Waters.

Section 1. Be it enacted, &c., That the Department of Highways shall be and is hereby authorized to enter upon private property adjacent to highways maintained in whole or in part by the Commonwealth and change existing stream channels where it is deemed advisable, in order to protect improved highways from damage due to erosion or high water: Provided, however, That they shall have secured the consent of the owner of all property affected by said change.

Section 2. Any such change to an existing stream channel by the Department of Highways shall first be approved by the Department of Forests and Waters.

Section 3. Any damage resulting from the change of a stream channel, as provided in this act, shall be considered as maintenance and shall be borne in the same proportion and by the same agencies as the maintenance of the highway.

Department of Highways.

Protection of highways by change of stream channels on private lands.

Proviso.

Approval of Department of Forests and Waters.

Damages.

APPROVED—The 29th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 211.

AN ACT

Providing for the clerk of the court of quarter sessions of the several counties of this Commonwealth to certify to the Department of Highways the establishment of all new townships and boroughs within said county, fixing fee for such certification; and providing penalty.

Section 1. Be it enacted, &c., That the clerk of the court of quarter sessions in each county shall certify to the Department of Highways the establishment of all new townships and boroughs within said county; certification to be made within thirty days after the establishment of such township or borough.

Section 2. For each certification furnished under the provisions of this act the clerk of the court of quarter sessions shall receive the sum of three dollars and fifty cents (\$3.50); to be paid by the State

New townships and boroughs to be certified to Department of Highways.

Fee of clerk of quarter sessions.

Treasurer upon warrant from the Auditor General
out of moneys not otherwise appropriated.

Violation.

Section 3. The failure or neglect of any clerk of the court to furnish such certification shall be deemed a misdemeanor, and upon conviction any such clerk shall be punished by fine of not more than fifty dollars (\$50.00).

Penalty.

APPROVED—The 29th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 212.

AN ACT

Conferring on the Department of Highways power to enter upon private property, and open and maintain drainage channels along roads or highways constructed at the expense of the Department of Highways or under its supervision; and providing penalty for interference with such drains or ditches; and providing for the payment of damages.

Department of Highways.

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, and cut, open, maintain, and repair such drains or ditches, inlets or outlets through the same as are necessary to carry the waters from roads or highways constructed or improved at the expense of the Commonwealth or under its supervision.

Entry on lands to open and maintain drains.

Unlawful to stop, fill up or injure drains.

Section 2. If any person shall stop, fill up, or injure any such drain or ditch, or shall divert or change the course thereof without authority from the Department of Highways, such person shall for every such offense forfeit and pay a sum of not less than four dollars (\$4.00) nor more than twenty dollars (\$20.00).

Penalty.

Damages sustained by owners.

Section 3. Any damages sustained by the owner or owners of land entered upon by the Department of Highways for the purposes of cutting, opening, maintaining and repairing such drains or ditches, inlets or outlets, shall be paid by the county or counties within which said property is located.

APPROVED—The 29th day of April, A. D. 1925.

GIFFORD PINCHOT.