

dred and twenty-nine (Pamphlet Laws, six hundred fifty-five), entitled "An act to amend section two of article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred sixty-eight), entitled 'An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto, by adding thereto clause six, authorizing said cities to regulate sales at public auctions and to provide penalties,'" shall be amended to read as follows:

Power to regulate and license auction sales.

6. To regulate *and license*, by ordinance, sales of merchandise at public auction, and to fix and enforce penalties for the violation of the provisions of such ordinances: Provided, however, That such ordinances shall not apply to judicial sales, to sales by executors or administrators, or to sales by or in behalf of licensed pawnbrokers of unredeemed pledges, in the manner provided by law.

APPROVED—The 8th day of April, A. D. 1931.

GIFFORD PINCHOT

No. 17

AN ACT

To amend sections one, two and three of the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred ninety-six), entitled "An act providing for the relocation and change of width and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, and for the payment of damages occasioned thereby by counties," by extending said act to incorporated towns.

Boroughs and incorporated towns.

State highways.

Section 1, act of May 7, 1929 (P. L. 1596), amended.

Section 1. Be it enacted, &c., That section one of the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred ninety-six), entitled "An act providing for the relocation and change of width and lines of State highways in boroughs by the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, and for the payment of damages occasioned thereby by counties," is hereby amended to read as follows:

State highways in boroughs and incorporated towns.

Section 1. Be it enacted, &c., That whenever in the construction, reconstruction, maintenance and repair of any State highway within the limits of any borough or incorporated town, it shall appear to the Secretary of Highways that any part or portion of such State high-

way within the borough or *incorporated town* is dangerous or inconvenient to the traveling public in its present location, either by reason of width, grades, dangerous turns, or other local conditions, or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable, and could be materially reduced or lessened by a divergence from the existing road, the Secretary of Highways, with the approval of the Governor and commissioners of the proper county, may establish the width or lines of any such State highway in a borough or *incorporated town*, before or after construction, reconstruction or improvement of the same, not however exceeding the maximum width fixed by law for public roads.

Relocation and change of width.

Section 2. That section two of said act is hereby amended to read as follows:

Section 2 amended.

Section 2. Whenever the Secretary of Highways shall establish the width or lines of any such State highway within a borough or *incorporated town*, he shall cause a description and plan thereof to be made, showing the said line of State highway, and the established width thereof, and shall attach thereto his acknowledgment. Whereupon such description, plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county, in the book kept for such purposes by the recorder of deeds.

Plan showing width and lines.

Plan to be recorded.

Section 3. That section three of said act is hereby amended to read as follows:

Section 3 amended.

Section 3. Before the Secretary of Highways shall undertake the construction or improvement of any State highway in a borough or *incorporated town*, wherein a change of width or of existing lines and location is necessary, and damages are likely to result to abutting property, he shall notify the county commissioners of the proper county, in writing, of the contemplated change in such existing lines and location, whereupon the county commissioners, when possible, shall enter into an agreement with the owner or owners of said property as to the amount of damages to be paid to the said owner or owners, which damages, if agreed upon, shall be paid by the county.

Damages.

In case no agreement satisfactory to the county commissioners and the said owner or owners be made, the Secretary of Highways may not proceed with the work of construction and improvement, unless the county commissioners agree that the said secretary may proceed, and, in such cases, 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 viewers shall be governed by existing laws relating to the ascertainment

Proceedings. Viewers.

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.

APPROVED—The 9th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 18

AN ACT

To repeal the act, approved the eighth day of June, one thousand eight hundred seventy-four (Pamphlet Laws, two hundred seventy-nine), entitled "An act for the annexation of boroughs or townships, or parts of townships, to adjacent cities."

Boroughs and townships.

Annexation.

Act of June 8, 1874 (P. L. 279), repealed.

Section 1. Be it enacted, &c., That the act, approved the eighth day of June, one thousand eight hundred seventy-four (Pamphlet Laws, two hundred seventy-nine), entitled "An act for the annexation of boroughs or townships, or parts of townships, to adjacent cities," is hereby repealed; this repeal to take effect upon the approval of this act by the Governor.

APPROVED—The 9th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 19

AN ACT

To amend section one of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred twenty-four), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, eliminating the necessity of publishing municipal and school auditors' reports, and summaries and statements thereof, in legal newspapers.

Counties of first, second, third, fourth and fifth classes.

Advertisements and notices.

Section 1. Be it enacted, &c., That section one of the act, approved the third day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred twenty-four), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of gen-