

*necessity of the said pupil and/or pupils taking the county examination, with the approval of the county superintendent in writing.* County superintendents are hereby authorized and, *in cases where the boards of the districts have not agreed as hereinbefore provided for,* required to examine such pupils and, if entitled, to issue to them the necessary certificate.

Examination

APPROVED—The 4th day of May, A. D. 1927.

JOHN S. FISHER

No. 350

AN ACT

To amend sections one and three of the act, approved the twenty-ninth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, three hundred and fifty-nine), entitled "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," by providing for the changing and protection of existing stream channels and for the payment of the cost thereof; and dispensing with the necessity of securing the consent of the owners of property affected by any change made under the provisions of the act.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-ninth day of April, one thousand nine hundred and twenty-five (Pamphlet Laws, three hundred fifty-nine), entitled "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," is hereby amended to read as follows:

Department of Highways.

Section 1 of act of April 29, 1925 (P. L. 359), amended.

Section 1. Be it enacted, &c., That the Department of Highways shall be and is hereby authorized to enter upon private property adjacent to, *or in the vicinity of,* highways *or bridges constructed or maintained* in whole or in part by the Commonwealth, and change *or protect* existing stream channels where it is deemed advisable, in order to protect improved highways *or bridges within the limits of any borough or boroughs, town or township* 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.]

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

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

Section 3 amended.

Section 3. Any damage resulting from the change *or protection* 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. *The actual cost of making any change or protecting any existing stream channel shall*

Damages.

Cost of making change.

*be paid by the Department of Highways and shall be considered as a part maintenance of the maintenance of the highway or bridge.*

APPROVED—The 4th day of May, A. D. 1927.

JOHN S. FISHER

No. 351

AN ACT

To further amend section sixteen 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 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," by providing for the removal by the county of certain structures located within the lines of a relocated State highway.

State Highway Department.

Section 16 of act of May 31, 1911 (P. L. 498), last amended by act of May 23, 1923 (P. L. 341), further amended.

Section 1. Be it enacted, &c., That section sixteen 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 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