

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.*

Highways.

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

Power of courts to vacate State roads.

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.

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