

No. 302

AN ACT

To permit the entry of engineers and surveyors, and their representatives, onto private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey, or as a part of the Pennsylvania Coordinate System; and providing a penalty for the injuring, defacing, and destruction of marks and monuments.

Section 1. Be it enacted, &c., That any person duly registered as a qualified engineer or surveyor under the laws of this Commonwealth or entitled to exemption from registration as an engineer or surveyor under the laws of this Commonwealth, and his duly accredited assistants and representatives may, in the execution of surveys, enter upon any private land whereon there is a marked survey station for which the horizontal or vertical position has been determined by or under the direction of the United States Coast and Geodetic Survey, or which is a part of the Pennsylvania Coordinate System, if such entry is for the purpose of utilizing the horizontal or vertical position data in controlling surveys of land for cadastral purposes, or for other engineering purposes, private or public.

Engineers and surveyors may enter upon property in the execution of surveys.

Section 2. That the engineer or surveyor, or his duly accredited assistants or representatives, shall do no unnecessary damage to the property on which a survey station stands. The owner of the land shall be reimbursed for all damage done in so entering, the amount of damages to be agreed upon beforehand and paid promptly upon completion of work at said survey station. Where the amount of damages to be paid has not been or can not be agreed upon beforehand, the party proposing to enter upon said property shall file good and sufficient bond in the court of quarter sessions of the county in an amount to be approved by the court, conditioned for the payment of all damages and costs when the same are finally ascertained and fixed. The amount of damages to be paid shall be determined by three viewers of the county in which the property is located, appointed by the court of quarter sessions from the county board of viewers. The proceedings for the ascertainment of damages shall be in accordance with the general road laws of the Commonwealth for the ascertainment of damages for the taking, injuring or destruction of property in the laying out and opening of public roads.

Engineer and surveyor not to do any unnecessary damage.

Owner to be reimbursed for damages.

Bond.

Viewers.

Section 3. Where the engineer or surveyor or his representatives entering on private property for the purposes stated in section 1 of this act, shall tender damages to owner of said property and said proffer is not accepted, and the amount of damages determined

When offers of damages refused, owner shall bear costs.

according to procedure stated in section 2 of this act, shall not exceed amount of damages so proffered, then all costs in the matter shall be borne by the owner of the property, otherwise the cost shall be assessed against the party entering.

Penalty for injuring or defacing any mark or monument.

Section 4. If any person shall wilfully injure, deface or destroy the mark or monument at any survey station established by or under the direction of the United States Coast and Geodetic Survey, or by the State agency administering the Pennsylvania Coordinate System, or shall offer any obstacles to the proper, reasonable, and legal use of any such station, such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not to exceed \$250 for each offence and costs, or shall be imprisoned for a term of not less than 6 months, or both, in the discretion of the court.

When effective.

Section 5. This act shall become effective immediately upon its final enactment.

APPROVED—The 2d day of June, A. D. 1937.

GEORGE H. EARLE

No. 303

AN ACT

To add section 491.1 to the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties of the sixth, seventh and eighth classes to pay bounties for the destruction of rattlesnakes, copperhead snakes, and porcupines.

Counties.

Section 491.1 added to act of May 2, 1929 (P. L. 1278).

Section 1. Be it enacted, &c., That the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended by adding thereto a new section to read as follows:

Section 491.1. Bounties For Destruction of Rattlesnakes, Copperhead Snakes, and Porcupines.—The board of commissioners of any county of the sixth, seventh or eighth class may provide for the payment of rewards or bounties for the killing within the county only of rattlesnakes and copperhead snakes, not more than one dollar for each, and for the killing of porcupines, not more