

a State Highway and providing for the construction and maintenance at the expense of the Commonwealth," is hereby amended to read as follows:

Section 1. The following section of a road over State-owned lands shall be adopted by the Commonwealth as a State Highway to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways:

Cameron County.

Beginning at a point on Route 12001 about [.6 of a mile north of the Clearfield-Cameron County line; thence southerly and northeasterly in Gibson and Grove Townships to a point on Route 12001 about .46] 0.7 of a mile south of Route 105, *thence southwesterly in Grove and Gibson Townships*, in Cameron County, a distance of about [8.5] 2.9 miles.

Act effective immediately.

Section 2. This act shall become effective immediately upon final enactment.

APPROVED—The 3rd day of June, A. D. 1955.

GEORGE M. LEADER

No. 43

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and to lease, under certain conditions, real property, now under the jurisdiction of the Department of Forests and Waters and the Pennsylvania Game Commission, located in Cameron, Clearfield and Elk Counties; authorizing the exercise of the right of eminent domain; and appropriating the receipts to the purchase of State forest and State game lands, and/or mineral rights, and the payment of damages awarded in any eminent domain proceedings instituted by virtue of this act.

Preamble.

Whereas, the tracts of lands, hereinafter mentioned, will be used for the purpose of testing (including flight testing), experimenting with, or the manufacturing of aircraft and other power plants of any type, and for other scientific purposes, relating to research and development, or the manufacture and sale of any type of equipment or product, primarily in the interest of national defense, or which may be under contract with the United States government, or others, or which may be manufactured without such contract, and

Whereas, the sale and lease of said tracts of land will result in the economic development of the Commonwealth and increased employment in an area where there is presently a surplus of labor.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Authority to sell certain land and execute a deed for the Commonwealth of Pennsylvania.

Section 1. The Department of Property and Supplies, with the approval of the Governor, and subject to the conditions hereinafter set forth, is hereby authorized, on behalf of the Commonwealth of Pennsylvania,

to sell and to execute a deed or deeds conveying the following described tracts of land under the jurisdiction of the Department of Forests and Waters and the Pennsylvania Game Commission situate in the Counties of Cameron, Clearfield and Elk, bounded and described as follows:

Being all that certain tract of land situate in the Township of Covington, County of Clearfield, and in the Township of Gibson, County of Cameron, and in the Township of Benezette, County of Elk, Commonwealth of Pennsylvania; being all or parts of Warrants No. 5383, No. 5380, No. 5379, No. 5385, No. 5382, No. 5381, No. 5378, No. 5377, No. 5399, No. 5400, No. 5403, No. 5404, No. 5407, No. 5401, No. 5402 and No. 5405, and being more particularly bounded and described as follows:

Land located in Cameron, Clearfield and Elk Counties.

Beginning at a copper pipe and stones monument situate on the line common to Warrants No. 5377 and No. 5407 and being within lands of the Commonwealth of Pennsylvania, said copper pipe and stones corner being south 07 degrees 08 minutes west 164.00 rods from a post and stones corner common to Warrants No. 5377, No. 5378, No. 5404 and No. 5407; thence along a line through Warrant No. 5377 and by lands herein described and lands of the Commonwealth of Pennsylvania north 82 degrees 52 minutes west 266.75 rods to a copper pipe and stones monument; thence through Warrants No. 5377, No. 5378 and No. 5379 by lands last mentioned afore north 37 degrees 52 minutes west 533.50 rods to copper pipe and stones monument; thence through Warrants No. 5379, No. 5380 and No. 5383 by lands of same north 07 degrees 08 minutes east 531.40 rods to copper pipe and stones monument; thence through Warrant No. 5383 by lands herein described and lands of the Lincoln Farm the following two (2) courses and distances:

Description of land.

- (1) north 70 degrees 21 minutes east 38.80 rods to copper pipe and stones monument;
- (2) south 75 degrees 55 minutes east 23.40 rods to copper pipe and stones monument;

thence along line common to Warrants No. 5383 and *No. 5382 by lands of same north 06 degrees 45 minutes east 44.64 rods to copper pipe and stones monument; thence through Warrants No. 5382 and No. 5385 by lands herein described and lands of the Commonwealth of Pennsylvania north 52 degrees 08 minutes east 451.96 rods to copper pipe and stones monument; thence through Warrants No. 5385 and No. 5399 by lands last mentioned afore south 82 degrees 52 minutes east 533.50

* "No." omitted in original.

rods to copper pipe and stones monument; thence through Warrants No. 5399, No. 5400 and No. 5401 by lands of same south 37 degrees 52 minutes east 533.50 rods to copper pipe and stones monument; thence through Warrants No. 5401, No. 5402 and No. 5405 by lands of same south 07 degrees 08 minutes west 533.50 rods to copper pipe and stones monument; thence through Warrants No. 5405, No. 5404 and No. 5407 by lands of same south 52 degrees 08 minutes west 533.50 rods to copper pipe and stones monument; thence through Warrant No. 5407 by lands of same north 82 degrees 52 minutes west 266.75 rods to copper pipe and stones monument, the place of beginning. Containing 8,579 acres 56 perches of land, more or less, including one privately owned parcel of land of approximately 115 acres which may be acquired by the exercise of the right of eminent domain, if necessary.

Authority to lease.

Section 2. The Department of Property and Supplies is also authorized to lease, with the approval of the Governor, the following described tracts of land under the jurisdiction of the Department of Forests and Waters and the Pennsylvania Game Commission situate in the Counties of Cameron, Clearfield and Elk, bounded and described as follows:

Land located in Cameron, Clearfield and Elk Counties.

Being all that certain tract of land situate in the Township of Benezette, County of Elk, and in the Township of Gibson, County of Cameron, and in the Townships of Girard, Covington and Karthaus, County of Clearfield, Commonwealth of Pennsylvania; being all or part of Warrants No. 5344, No. 5347, No. 5348, No. 5351, No. 5352, No. 5355, No. 5356, No. 5390, No. 5388, No. 5387, No. 5384, No. 5383, No. 5380, No. 5379, No. 5376, No. 5375, No. 5372, No. 5371, No. 5391, No. 5389, No. 5386, No. 5385, No. 5382, No. 5381, No. 5378, No. 5377, No. 5374, No. 5373, No. 5370, No. 5392, No. 5395, No. 5396, No. 5399, No. 5400, No. 5403, No. 5404, No. 5407, No. 5408, No. 5410, No. 5369, No. 5393, No. 5394, No. 5397, No. 5398, No. 5401, No. 5402, No. 5405, No. 5406, No. 5409, No. 5411, No. 5419, No. 5418, No. 5417, No. 5416, No. 5415, No. 5414, No. 5413 and the Willard Warrant; and being more particularly bounded and described as follows:

Description of land.

Beginning at a copper pipe and stones monument situate on the line common to Warrants No. 5370 and No. 5369 and being common to the lands herein described and lands of the Commonwealth of Pennsylvania, said monument being situate south 07 degrees 08 minutes west 960.00 rods from a copper pipe and stones monument which is the place of beginning indicated for the 8,579.35 acre tract described afore; thence through Warrant No. 5370 by lands herein described and lands of

the Commonwealth of Pennsylvania north 82 degrees 52 minutes west 319.05 rods to a copper pipe and stones monument; thence through Warrants No. 5370, No. 5371 and No. 5372 by lands last mentioned afore north 60 degrees 24 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5372, No. 5375 and No. 5356 by lands of same north 37 degrees 54 minutes west 638.10 rods to a copper pipe and stones corner; thence through Warrants No. 5356, No. 5355 and No. 5352 by lands of same north 15 degrees 24 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrant No. 5352, No. 5351 and No. 5348 by lands of same north 07 degrees 08 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5348, No. 5347 and No. 5344 by lands of same north 29 degrees 38 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5344 and No. 5388 by lands of same north 52 degrees 08 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5388, No. 5390 and No. 5391 by lands of same north 74 degrees 38 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5391 and No. 5392 by lands of same south 82 degrees 52 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5392, No. 5393 and No. 5394 by lands of same south 60 degrees 24 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5394, No. 5397 and No. 5419 by lands of same south 37 degrees 54 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5419, No. 5418 and No. 5417 by lands of same south 15 degrees 24 minutes east 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5417, No. 5416 and No. 5415 by lands of same south 07 degrees 08 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5415, No. 5414 and No. 5413 by lands of same south 29 degrees 38 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5413, No. 5409 and No. 5411 by lands of same south 52 degrees 08 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrants No. 5411, the Willard Warrant and Warrant No. 5369 by lands of same south 74 degrees 38 minutes west 638.10 rods to a copper pipe and stones monument; thence through Warrant No. 5369 by lands of same north 82 degrees 52 minutes west 319.05 rods to a copper pipe and stones monument the place of beginning. Containing 51,175.62 acres of land,

more or less, including three privately owned parcels of land of approximately 50 acres, 110 acres and 115 acres which may be acquired by the exercise of the right of eminent domain.

This 51,175.62 acre tract is the total gross area under consideration. Subtracting from this total gross acreage the gross acreage (8,579.35 acres) of the tract first described above as the area for fee conveyance, the residue is 42,596.27 acres, which acreage is the area for lease.

Section 3. No agreements of sale or lease shall be entered into unless:

Limitations of use of land by purchaser or lessee.

(a) It is with a purchaser and lessee who will use said lands for the purpose of testing (including flight testing), experimenting with, or the manufacturing of aircraft and other power plants of any type, and for other scientific purposes, relating to research and development, or the manufacture and sale of any type of equipment or product, primarily in the interest of National Defense, or which may be under contract with the United States government, or others, or which may be manufactured without such contract.

Specific restrictions on use of proceeds from sale or lease.

(b) The proceeds of such sale and the income of such lease shall be used solely for and are hereby appropriated to the Department of Forests and Waters and the Pennsylvania Game Commission for the acquisition of lands and mineral rights under lands, owned or to be acquired, and for the payment of damages in any eminent domain proceedings instituted by virtue of this act, and for the purchase of lands for State forests by the Department of Forests and Waters and the purchase of game lands by the Pennsylvania Game Commission in accordance with their respective interests in the proceeds and income.

Benefits from sale or lease to employment.

(c) The sale and lease will result in the economic development of the Commonwealth and increased employment in an area where there is presently a surplus of labor.

Increased revenues to political subdivisions.

(d) The real property when sold will become taxable by the taxing authorities of the appropriate political subdivisions, thus increasing their receipts from taxes.

(e) Campers and lessees holding leases with the Department of Forests and Waters in the lands proposed to be sold or leased will be offered opportunities to lease comparable lands on comparable terms in other localities in State forests.

Option to Commonwealth to repurchase upon notice.

(f) The purchaser of lands proposed to be sold will give the Commonwealth an opportunity of purchasing said tracts of land, if the purchaser should in the future determine to sell said tracts of land or any part thereof, to be exercised within a period of ninety (90) days after

written notice thereof, at such price and on such terms as those contained in any bona fide offer made by any third person; and the Commonwealth, if it exercises said right to purchase, will return said lands to the Department of Forests and Waters or the Pennsylvania Game Commission as their interests shall appear. The provisions of this subsection shall in no way be operative with respect to any tracts of land which the purchaser sells or conveys to the United States, or any agency thereof.

(g) The purchase price shall be twenty-two dollars and fifty cents (\$22.50) per acre for approximately nine thousand (9,000) acres, payable, upon delivery of the deed, to the Department of Forests and Waters or the Pennsylvania Game Commission as their respective interests shall appear.

Purchase price.

(h) The lease shall provide for a term of ninety-nine (99) years and a rental of thirty thousand dollars (\$30,000.00) per year involving approximately forty-five thousand (45,000) acres, with an option to purchase said tracts of land at thirty-five dollars (\$35.00) per acre; excepting and reserving from the operation of said option all mineral and mining rights, such rights to remain and continue in the public domain and retain their present status as a natural resource for the benefit of the Commonwealth and its people, subject to the proviso, that neither the Commonwealth nor the lessee, will at any time prior to the first day of May, two thousand fifty-four, work or exploit, in any way whatever, said mineral rights, mining rights nor any rights to natural gases or petroleum to the end that all said rights shall remain inviolate, unimpaired and unworked in any way whatever, directly or indirectly, until after the first day of May, two thousand fifty-four. The right to exercise said option shall terminate the sixteenth day of May, one thousand nine hundred seventy-eight.

Term of lease and rental; certain restrictions.

(i) The Commonwealth shall be permitted to remove the timber from the leased tract of land at such times and under such conditions as shall be agreed upon with the lessee.

Timber removal.

(j) Surveys shall be made to determine the number of acres involved in the various tracts, thus fixing an accurate selling figure as well as the respective interests of the Department of Forests and Waters and the Pennsylvania Game Commission.

Surveys.

(k) The Department of Forests and Waters and the Pennsylvania Game Commission, with the approval of the Governor, may incorporate any additional terms, conditions and provisions in the conveyances and lease not inconsistent with the terms, conditions and provisions herein specified.

Reservation for additional terms, conditions and provisions.

Right of eminent domain.

Section 4. The Commonwealth is, specifically, given the authority to exercise the right of eminent domain in order to acquire title to any tracts of land surrounded by the tracts of land hereinbefore described, and to acquire title to any mineral or other rights existing in persons other than the Commonwealth, including but not limited to the exercise of the right of eminent domain in connection with camp site or other leases, in order that the Commonwealth may convey title or execute a lease relative to all lands within the areas above described, but the Commonwealth shall retain title to the minerals as a natural resource for the benefit of the Commonwealth and its people with respect only to all lands which may be leased hereunder. This right of eminent domain is authorized since its exercise will be primarily in the interests of State and National Defense and the fulfillment of contracts for such purpose with the Federal government, as well as for the economic welfare and relief of unemployment within the Commonwealth. These purposes are declared to be public purposes and public uses for which public money may be spent and private property acquired by the exercise of the power of eminent domain in the manner prescribed by the act, approved the twentieth day of May, one thousand nine hundred twenty-one (Pamphlet Laws 984), as amended.

Approval of Department of Justice requisite to deed and lease.

Section 5. The deeds of conveyance and the lease shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Act effective immediately.

Section 6. This act shall become effective immediately upon final enactment.

APPROVED—The 3rd day of June, A. D. 1955.

GEORGE M. LEADER

No. 44

AN ACT

Providing for the observance of May first of each year as American Loyalty Day.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Governor of the Commonwealth of Pennsylvania is hereby authorized to issue a proclamation calling upon officials of this Commonwealth, and every political subdivision thereof, to display the flag of the United States on all public buildings, and every Pennsylvanian to display the National Flag at, on or