

became a law on the seventh day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, four hundred and twenty-five).

Together with all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal.

The repeal by this act of any act of Assembly, or part thereof, as indicated by the titles of the various acts of Assembly as above set forth in this section, shall not be construed to revive any act or part thereof heretofore repealed or superseded. Effect of repeal.

APPROVED—The 10th day of May, A. D. 1921.

WM. C. SPROUL.

No. 224.

AN ACT

To further amend section twenty of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," as amended: providing for the vacation of abandoned or condemned turnpikes.

Section 1. Be it enacted, &c., That section twenty of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed Turnpikes.

or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," which, as amended by the act, approved the eighth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, seven hundred thirty-eight), entitled "An act to amend sections thirteen and twenty of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred forty-four), entitled 'An act providing for original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road'; providing for the repair, maintenance, and vacation of abandoned and condemned turnpikes," reads as follows:—

Section 20, act of
May 11, 1911
(P. L. 244), as
amended by
section 2, act of
July 8, 1919
(P. L. 738), cited
for amendment.

"Section 20. Upon petition of the county commissioners of any county, the *court* of quarter sessions of the county, with the approval thereof by the grand jury, may vacate as a county road any portion or portions of any abandoned or condemned turnpike road

or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads, and all portions of such roads so vacated shall become and be township roads," is hereby further amended to read as follows:—

Section 20. Upon petition of the county commissioners of any county, the *several courts of quarter sessions of this Commonwealth shall have power, within their respective counties, to vacate as a county road any portion or portions of any abandoned or condemned turnpike road, or any portion or portions of any turnpike road purchased by the county, or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads, and all portions of such roads so vacated shall become and be township roads. Written notice of the contents of said petition and the time when the same will be presented to the court shall be given by the county commissioners to the supervisors of the township or townships through which said road passes at least ten days before the date of presenting the same. At the time said petition is presented, the court may fix a time for a hearing in open court, or refer the matter to an examiner to take testimony and report his findings to the court at such time as the court shall direct. At any hearing in open court or before an examiner appointed by the court, all parties in interest may appear and be heard. After the hearing in open court or before an examiner as aforesaid, the court, if it shall find that the conditions prescribed by this act have been complied with, may grant the prayer of the petitioners, and make a decree accordingly or make such order in the premises as to right and justice shall appertain.*

Vacation of
turnpikes as
county roads.

Notice of petition.

Hearing.

Decree.

APPROVED—The 11th day of May, A. D. 1921.

WM. C. SPROUL.

No. 225.

AN ACT

Imposing a State tax on anthracite coal; providing for the assessment and collection thereof; and providing penalties for the violation of this act.

Section 1. Be it enacted, &c., That from and after the passage of this act, each and every ton of anthracite coal, of the weight of two thousand two hundred and forty (2,240) pounds avoirdupois, mined, washed, screened, or otherwise prepared for market in this Commonwealth, shall be made subject to a tax of one and one-half per centum (1½) of the value thereof when prepared for market, which said tax shall be as-

Taxation

Anthracite coal.

Rate.