

Proviso.

formal indication of preference for taking up applications requiring the expenditure of such sums greater than the amount of their apportionment: Provided further, That if for any reason the county, township, or borough, either singly or jointly, refuses to execute agreements, submitted by the State Highway Department, authorizing the execution of contract or contracts, the amount of State-aid funds represented by said agreements shall be forfeited by the county, and thereafter such sum may be used by the State Highway Department for State Highway construction.

Forfeiture.

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

WM. C. SPROUL.

No. 8.

AN ACT

To amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

Highways.
Improvement and
maintenance.

Section 1. Be it enacted, &c., That section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys, and for the approval thereof by the State Highway Department in certain cases," which reads as follows:—

Section 1, act of
June 12, 1919
(P. L. 450), cited
for amendment.

"Section 1. Be it enacted, &c., That any county of this Commonwealth may appropriate and expend moneys, and incur such indebtedness and issue bonds or other obligations therefor, as may be necessary to pay for the improvement and maintenance of any State highway or State-aid highway or any public highway within its proper limits: Provided, however, That no improvement can be made to any State highways or State-aid highways until the same has been submitted to and approved by the State Highway Department: And provided further, That no county shall appropriate and expend any of such moneys for the improvement

and maintenance of any public highway other than a State highway or State-aid highway or county road until and unless the supervisors or commissioners of the township in which the highway proposed to be improved lies shall first petition the county commissioners of the county, representing that any highway or section thereof, lying within such township, on which it is proposed that said money shall be expended, is in need of reconstruction, and particularly describing said highway, and until and unless the said application has been submitted to and approved by the State Highway Department," is hereby amended to read as follows:—

Section 1. Be it enacted, &c., That any county of this Commonwealth may appropriate and expend moneys, and incur such indebtedness and issue bonds or other obligations therefor, as may be necessary to pay for the improvement and maintenance of any State highway or State-aid highway or any public highway within its proper limits: Provided, however, That no improvement can be made to any State highways or State-aid highways until the same has been submitted to and approved by the State Highway Department: And provided further, That no county shall appropriate and expend any of such moneys for the improvement and maintenance of any public highway, other than a State highway or State-aid highway or county road, *where the highway is to be improved jointly by the township or borough and county*, until and unless the supervisors or commissioners of the township or borough council of the borough in which the highway proposed to be improved lies shall first petition the county commissioners of the county, representing that any highway or section thereof, lying within such township or borough, on which it is proposed that said money shall be expended, is in need of reconstruction or repair, and particularly describing said highway, and until and unless the said application has been submitted to and approved by the State Highway Department; *And provided further, That when the improvement and maintenance of any public highway in the county is desired by the county without the intervention of the township or borough, the commissioners of said county may make application for approval direct to the State Highway Department.*

Improvement by counties.

Bonds.

Proviso.

Approval of Highway Department.

Proviso.

Application of township or borough.

Approval of applications by Department.

Proviso.

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

WM. C. SPROUL.