

No. 245

AN ACT

To further amend section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled "An act relating to roads, highways, and bridges," as amended, by providing for the assessment of damages for property appropriated for slopes.

Roads, highways and bridges.

Section 5, act of June 13, 1886 (P. L. 551), last amended by act of April 13, 1927 (P. L. 184), further amended.

Section 1. Be it enacted, &c., That section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled "An act relating to roads, highways, and bridges," which as amended by the act, approved the seventh day of June, one thousand nine hundred and seven (Pamphlet Laws, four hundred and fifty-two), entitled "An act to amend the fifth section of an act, entitled 'An act relating to roads, highways, and bridges,' approved the thirteenth day of June, Anno Domini one thousand eight hundred thirty-six," as further amended by the act, approved the sixth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, one hundred and eleven), entitled "An act to further amend section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled 'An act relating to roads, highways, and bridges,' fixing the width of public roads," and as further amended by the act, approved the thirteenth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, one hundred and eighty-four), entitled "An act to further amend section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred and fifty-one), entitled 'An act relating to roads, highways, and bridges,' as amended, by providing that the limits of width fixed therein shall not include the additional width required to provide for necessary slopes," is hereby further amended to read as follows:

Width of roads.

Section 5. The breadth of a private road shall not in any case exceed twenty-five feet, and the width of a public road shall not be less than thirty-three feet nor more than one hundred and twenty feet: Provided, That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified; *but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway. All viewers shall hereafter be required to take into consideration the qualified nature of the ease-*

Not to include slopes.

Use of property by owner.

Viewers to consider nature of easement.

ment in proceedings to assess damages for the taking of land for highway purposes.

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 246

AN ACT

To amend route three hundred as amended, route three hundred and thirty as amended, route three hundred and fifty-nine as amended, route three hundred and sixty-one as amended, and routes three hundred and two, three hundred and nineteen, three hundred and thirty-seven, three hundred and forty-eight, three hundred and fifty-seven, three hundred and fifty-eight, and three hundred and sixty-seven of an act, approved the twenty-second day of July, one thousand nine hundred and thirteen (Pamphlet Laws, nine hundred forty-eight), entitled "An act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Section 1. Be it enacted, &c., That route three hundred of section one of an act, approved the twenty-second day of July, one thousand nine hundred and thirteen (Pamphlet Laws, nine hundred forty-eight), entitled "An act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," as amended by act of Assembly, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, sixteen hundred nineteen), is hereby further amended to read as follows:

Route three hundred. A certain public road beginning at *Kenwood*, [Pine Flats,] Indiana County, at a point on route number fifty-four; thence *by way of Pine Flats* to *Spruce*.

Section 2. That route three hundred and thirty of said act as amended by act of Assembly, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, six hundred ninety-four), is hereby further amended to read as follows:

Route three hundred and thirty. A certain public road beginning in Westmoreland County, on route one hundred eighteen, between Greensburg and Washington, being Rankin Cross-Roads, and extending by way of Lebanon School House and Fells Church to Elizabeth, in Allegheny County; thence to West Elizabeth; thence [following the present improved Scotia Hollow county road, to the Miller's Grove and Clairton Road; thence over said Miller's Grove and Clairton Boulevard; thence over said Clairton Boulevard to route two hundred forty-seven in Overbrook; thence over Saw Mill Run

State Highways.

Route 300, section 1, act of July 22, 1913 (P. L. 948), as amended by act of May 7, 1929 (P. L. 1619), further amended.

Route 300.

Route 330, as amended by act of May 4, 1927 (P. L. 694), further amended.

Route 330.