

by the Council of the Colony of Pennsylvania, the Supreme Executive Council of the Commonwealth of Pennsylvania, or the Congress of the United States; or as against the land occupied by any fort, redoubt, or block-house, erected during the Colonial or Revolutionary period, or any building used as headquarters by the Commander-in-Chief of the Continental Army; or as against the site of any building, fort, redoubt, block-house, or headquarters which are preserved for their historic associations and not for private profit. The Colonial and Revolutionary period shall be taken as ended on the third day of September, one thousand seven hundred and eighty-three.

Section 1903. Possession of Property upon Tender of Bond.—Whenever, in any condemnation proceedings, any township has tendered a bond to secure the payment of damages, and the same has been accepted, or if the acceptance has been refused and the bond has been filed in and approved by the court, the township shall have the right to immediate possession of the property.

Section 1904. Notice to Quit; Possession; Procedure.—If the owner, lessee, or occupier shall refuse to remove his personal property or give up possession, the township may serve written notice upon such owner, lessee, or his agent, or the occupier, to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice.

If the owner, lessee, or occupier shall refuse to remove his personal property and give possession, upon proof of the service of the notice, a writ of habere facias possessionem shall forthwith issue, directing the sheriff to give to the township possession.

Section 1905. Bond of Township Without Surety Sufficient.—Whenever any court shall order any township to enter security for the payment of damages for the taking, injury or destruction of land, property or materials by right of eminent domain, the bond of the township shall be taken without sureties.

Section 1906. Value of Land not to be Assessed as Benefits; Exceptions.—In all cases of the appropriation of land for public use, other than for roads or streets, it shall not be lawful to assess any portion of the damage done to or value of the land so appropriated against the other property adjoining or in the vicinity of the land so appropriated.

Section 1907. Right to Damages.—The right to damages against townships is given to all owners or tenants of lands, property, or material abutting on, or through which pass, roads, streets, lanes, or alleys, injured by the laying out, opening, widening, vacating,

extending, or grading of such roads, streets, lanes, or alleys, or the changing of the grades or lines thereof, by such townships; the construction and the vacation by such townships of bridges and piers, abutments, and approaches therefor; and the construction by such townships of sewers over, upon, or through such lands or property.

Section 1908. Viewers' Report.—Viewers or juries of view appointed by any court to assess damages and benefits, due to the taking, injury, or destruction of private property in and by the construction or enlargement of any public work, highway, or improvement, shall make their reports within a time which the court shall fix when appointing them, but if any of the viewers or juries of view shall, for any reason appearing sufficient to the court, be unable to file its report within the period so fixed, the court may, either before or after the expiration of the time fixed, extend the time for the filing of such report.

Section 1909. Plans of Properties Condemned to be Furnished to Viewers.—In all proceedings to assess damages for the taking, injury or destruction of private property for public use, the township taking, injuring or destroying property for said purpose shall furnish the board of viewers with a correct plan of all properties affected, showing all buildings or other structures thereon, their width, length, elevation, and cubical contents, names of all owners, tenants, or occupiers thereof, the topography of the land, and the grades and widths of all highways running through or abutting on said properties, and all other data necessary for a proper determination of the amount of damages caused by the taking, injury or destruction of said private property.

Said plans shall be prepared and ready for the use of the viewers at their first meeting, and copies thereof shall be furnished to all owners, tenants, and occupiers of the property, and all other parties affected thereby, without charge.

Section 1910. Condemnation Petition to Specify Liens; Exception.—In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain, excepting proceedings to ascertain damages and benefits by reason of township street or sewer improvements, the petition for the appointment of viewers therein shall contain allegations specifying any judgments, mortgages, or other claims (herein designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid.

Section 1911. Findings of Facts as to Liens.—Testimony shall be taken in said proceedings to ascertain