

and the one member required to be a real estate broker, shall be appointed by the county controller.

The one member required to be a business man, an accountant or a teacher in a recognized college or university specializing in any of the subjects hereinbefore prescribed as with sufficient experience qualifying a person for membership on the board, shall be appointed by the county treasurer and the county controller acting jointly.

All vacancies shall be filled by the officer or officers who appointed the member whose place is to be filled.

Section 2. All acts and parts of acts, general, local and special, inconsistent herewith, are hereby repealed.

Section 3. This act shall become effective on the first day of May, one thousand nine hundred and thirty-seven.

Inconsistent acts repealed.

When effective.

APPROVED—The 28th day of April, A. D. 1937.

GEORGE H. EARLE

No. 109

AN ACT

To further amend section five, and to partly repeal sections one, two, three, and four of the act, approved the twenty-third day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand one hundred twenty-three), entitled "An act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs, and expenses thereof," by providing for the appointment of boards of view from the board of revision of taxes; and abolishing the board of viewers in counties of the first class.

Section 1. Be it enacted, &c., That section five of the act, approved the twenty-third day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand one hundred twenty-three), entitled "An act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs, and expenses thereof," as amended by section one of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, eight hundred sixty-six), is hereby further amended to read as follows:

County board of viewers.

Section 5, act of June 23, 1911 (P. L. 1123), as amended by act of April 30, 1929 (P. L. 866), further amended.

Section 5. Whenever hereafter a petition shall be presented to any court, judge or judges of this Com-

Petitions.

- monwealth, praying the appointment of viewers, reviewers or re-reviewers, or of a jury of view, or of a road jury, or of commissioners of view, or of any person or body, under any designation, for the purpose of viewing, laying out, opening, grading, altering, widening, vacating, or constructing of roads, streets, highways, sewers or bridges; or for the assessment of damages and benefits occasioned by such laying out, opening, grading, altering, widening, vacating, and constructing of roads, streets, highways, sewers or bridges; or occasioned by any appropriation of land by municipalities and of other corporations having the power of eminent domain,
- Board of view.** the court shall appoint a board of view of three members—one of whom may be learned in the law—from among the board of viewers of the county, as such viewers, reviewers, re-reviewers, or jury of view, or road jury, or commissioners of view: *Provided, That in counties of the first class such board of view shall be appointed from among the members of the board of revision of taxes of such county.*
- Records.** The records filed by such board of view, when concurred in by two out of these three members thereof, shall have the same force and effect as records filed under existing laws by viewers, reviewers, re-reviewers, or juries of view, or road juries, or commissioners of view.
- Appeals and exceptions.** Appeals from the action of any board of view, and exceptions thereto, shall be taken and filed in the same manner and with like force and effect as under existing laws.
- Vacancies.** In case of vacancies in a board of view appointed in any case, and before its final action, the court which appointed the board may fill such vacancies in the board by the appointment of other members of the board of viewers.
- Section 2. The board of viewers of counties of the first class is hereby abolished.
- Sections one, two, three, and four of said act, and their amendments, are hereby repealed in so far as they apply to counties of the first class.
- When effective.** Section 3. The provisions of this act shall become effective on the first day of May, one thousand nine hundred and thirty-seven.

APPROVED—The 28th day of April, A. D. 1937.

GEORGE H. EARLE