

*it shall order and decree that the amount of delinquent taxes, municipal claims and judgments owing to the said political subdivision by the said person having a claim or account against such political subdivision, shall be set-off against such claim or account and against the proceeds of any judgment secured thereon. The court shall in its order determine by whom the costs of the proceedings shall be paid.*

Section [4] 6. All acts and parts of acts inconsistent with this [act] *reenactment and amendment* are hereby repealed.

Reenactment and amendment effective immediately.

Section [5] 7. This [act] *reenactment and amendment* shall become effective immediately upon its final enactment.

APPROVED—The 15th day of April, A. D. 1943.

EDWARD MARTIN

No. 33

AN ACT

To amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the board.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Fish.

Section 1. Section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as added to said act, by the act approved the seventeenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, one thousand one hundred forty-five), is hereby amended to read as follows:

Act of May 2, 1925, P. L. 448, as amended July 17, 1935, by adding section 213, further amended.

Section 213. Unlawful to Sell Bait-fish or Fish-bait. —It shall be unlawful for any person to sell or offer for sale any bait-fish or fish-bait taken from [the public] *any waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the board. Any person violating*

*the provisions of this section shall be* subject to a penalty of ten dollars for each bait-fish or fish-bait sold or offered for sale, upon conviction as provided in chapter fourteen of this act.

Section 2. This act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 15th day of April, A. D. 1943.

EDWARD MARTIN

No. 34

AN ACT

To amend section three of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, seven hundred fifty-four), entitled "An act providing for the survey, construction, reconstruction, improvement, and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia, and making the same a part of the system of State Highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain, and the payment of damages by certain counties; and imposing certain powers and duties upon the Highway Commissioner and county commissioners," providing for ascertaining damages for the taking of private property and payment thereof, in the same manner as provided by law in the case of State Highways.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Industrial State Highway.

Section 1. Section three of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, seven hundred fifty-four), entitled "An act providing for the survey, construction, reconstruction, improvement, and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia, and making the same a part of the system of State Highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain, and the payment of damages by certain counties; and imposing certain powers and duties upon the Highway Commissioner and county commissioners," is hereby amended to read as follows:

Act of June 14, 1923, P. L. 754, section 3, amended.

Section 3. In carrying out the provisions of this act the [State Highway Commissioner] *Department of Highways* shall possess all the powers now by law vested in [him] *it* in relation to the laying out, constructing, reconstructing, improvement, and maintenance of State highways and State-aid highways, and, in addition thereto, [he] *it* shall have, and is hereby authorized to exercise, the rights of eminent domain for the purpose of condemning and taking private property for any pur-

Powers of Department of Highways.

Eminent domain