

of the person whose place he is appointed to fill. The compensation of both the appointed and elected auditors shall be five dollars (\$5) per day for each day necessarily spent by each auditor. The total expense of such auditing, including the cost of filing the report, advertising, and other necessary costs, shall be paid by the union school district.

APPROVED—The 29th day of September, A. D. 1951.

JOHN S. FINE

No. 427

AN ACT

To amend further section 5 of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws 551), entitled "An act relating to roads, highways and bridges," * by extending the width of a public road, in the instance of multiple lane highways, to increase the maximum width by the additional footage that shall be necessary, in the judgment of the Secretary of Highways for center or dividing strips.

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

Public highways.

Section 1. Section 5 of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws 551), entitled "An act relating to roads, highways and bridges," as last amended by the act, approved the sixth day of August, one thousand nine hundred and forty-one (Pamphlet Laws 890), is hereby further amended to read as follows:

Section 5, act of June 13, 1836, P. L. 551, as last amended by act of August 6, 1941, P. L. 890, further amended

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, except that whenever the right of way for a public highway has been acquired solely by the Federal government the maximum width thereof may be two hundred feet, and except in the instance of multiple lane highways, the maximum width shall be one hundred and twenty feet plus any additional footage that shall be necessary, in the judgment of the Secretary of Highways, for center or dividing strips between the multiple roadways: 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

Breadth of private road.

Width of public road.

Exception: Right of way for a public highway acquired solely by Federal government.

Further exception: Multiple lane highways.

Proviso.

* "as amended," deleted from original.

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 easement in proceedings to assess damages for the taking of land for highway purposes: And provided further, That when the public road, desired to be opened, is in a built up section of any township of the second class, of the type commonly known as an alley, and is not an integral part of a through route, the minimum width shall be fifteen feet: And provided further, That where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way *for such public highway has been acquired solely by the Federal government and it shall become necessary to move or relocate any public service facilities, the cost and expenses incident to such removal or relocation shall be paid by the Federal government.

Further proviso.

Further proviso.

Act effective immediately.

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

APPROVED—The 29th day of September, A. D. 1951.

JOHN S. FINE

No. 428

AN ACT

To add sections 602.1 and 705.1, to further amend section 802, to add sections 804.1 and 901.1, to the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing that substitutes may hold positions only until employes on military leave return; relating to rights of transferred, reassigned or promoted employes during probationary periods; and providing for employe audits from time to time.

"Civil Service Act."

Sections 602.1 and 705.1 added to act of August 5, 1941, P. L. 752.

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

Section 1. Sections 602.1 and 705.1 are hereby added to the act, approved the fifth day of August, one thousand nine hundred forty-one (Pamphlet Laws 752), entitled "An act regulating and improving the civil

* "of" in original.