

CUMBERLAND ROAD, CARE AND MAINTENANCE
Act of Apr. 10, 1905, P.L. 129, No. 97

Cl. 36

(Provisions of act extended to include that portion of road lying in Somerset County Jun. 13, 1907, P.L.737, No.660)

AN ACT

Relating to the management, care, and maintenance of the National, or Cumberland, road, and freeing the same from tolls, and making an appropriation therefor.

Compiler's Note: Act 660 of 1907 supplemented Act 97 with the following provision:

Section 2. From and after the first day of June, Anno Domini one thousand nine hundred and seven, the State Highway Commissioner shall divide the said road, in Somerset, Fayette and Washington counties, into four divisions, and shall employ one superintendent for each division, at a salary not to exceed eight hundred dollars per annum. The said superintendents shall devote their entire time to the care and maintenance of said road, and shall give bond in suitable and reasonable amounts.

Section 1. Be it enacted, &c., That so much of the Cumberland road, lying within the State of Pennsylvania, as is now maintained, by officers appointed for that purpose, under existing laws, out of revenues received from the collection of tolls thereon, shall hereafter be under the care and management of the State Highway Department, and shall be maintained and kept in repair by the State Highway Commissioner, at the cost of the State.

Section 2. The standard, or condition, at which the road-bed aforesaid shall be maintained shall be prescribed by plans and specifications to be prepared by the State Highway Commissioner. Said plans and specifications may be varied for different sections of said road, according to the varying amount and character of the travel upon said different sections.

Section 3. Upon taking charge of said road, the State Highway Commissioner shall cause the road-bed, including bridges forming parts thereof, to be put in good condition, by making such permanent repairs as may be found to be necessary. For this purpose there is hereby appropriated the sum of one hundred thousand dollars, whereof an amount not exceeding fifty thousand dollars shall be available during the first year following the passage of this act, and the remainder in the following year. Said work shall be done under contracts, let to the lowest responsible bidder, after advertising for proposals in not less than two newspapers of the county where the work is to be done.

Section 4. The work of repairing and maintaining said road, or sections thereof, subsequent to the putting of the same in condition as provided in section three, may be done by contract, let to the lowest responsible bidder, after thirty days' advertisement for proposals, in at least two newspapers of the county wherein the work is to be done; or the State Highway

Department may do any such work itself, purchasing the necessary materials and appliances, and hiring the necessary labor, at the current rates for similar materials, appliances and labor. For the purpose of having the repair, maintenance, and care of said road properly supervised, the State Commissioner of Highways may employ not more than two superintendents, at a salary not to exceed one thousand dollars per annum, and assign to each of them the portion or portions of said road to be under his care. Said superintendents shall in all things be subject to the orders and direction of said Commissioner.

Section 5. Upon the taking effect of this act, the several officers now in charge of portions of the said road, under existing laws, shall hand over to the State Commissioner of Highways the custody and control thereof, and deliver to him any property belonging to the State in their hands and charge, and shall pay to the said Commissioner such moneys as shall be found to be in their hands, respectively, upon settlement of their accounts according to existing laws.

Section 6. From and after the date at which this act takes effect, the collection of tolls upon the Cumberland road shall cease, and all travel thereafter shall be free of toll. Any buildings belonging to the State, and heretofore used for toll-collectors' residences or offices, or any other purpose in connection with said road, may be maintained by the Commissioner, aforesaid, and leased by him to any person employed, under the State Highway Department, upon said road, for residence purposes, or used for storing tools, appliances, et cetera; or, in case the same shall not, in the judgment of said Commissioner, be required for any purpose connected with the said road, any such building may, by the said Commissioner, be sold, after advertisement, to the highest responsible bidder, to be removed, if standing within the limits of the road, by the purchaser thereof.