

ROADS TO REACH COAL DEPOSITS, AUTHORIZING LAYOUT
Act of Jul. 9, 1897, P.L. 213, No. 173
AN ACT

Cl. 36

To provide for the laying out of private roads, under the surface or over the surface, or partly over and partly under the surface of intervening land or lands, to reach bituminous coal, iron ore or fire clay underlying adjacent land, with sufficient surface on the intervening land or lands necessary for the turning of wagons and teams.

Section 1. Private roads to bituminous coal mines, clay, sands, etc.; view; report

From and after the passage of this act it shall and may be lawful for the several courts of quarter sessions of this Commonwealth, upon application of any person, persons, association, stock company, partnership or corporation for a private road, under the surface or over the surface, or partly over and partly under the surface of intervening land or lands, to reach bituminous coal, iron ore, fire clay, kaolin clays, stones, marbles and sands, on, upon or underlying adjacent land, with sufficient surface on the intervening land or lands for the turning of wagons and teams, to cause a view to be had of the said premises; and upon return of viewers that said road, with sufficient surface ground on the intervening land or lands for the turning of wagons and teams, is necessary, then the said court shall cause the same to be entered of record, and thenceforth such road, with the turning ground for wagons and teams, shall be deemed and taken to be a lawful, private road; shall be opened by the party making application for the same, and shall be kept in repair at their exclusive cost: Provided, That the viewers appointed, as aforesaid, shall assess the amount of damages sustained by the owner or owners of land through which the road shall be made, and embody the same in their report to the court, which damages, as assessed by said viewers, shall be secured by bond, to be approved by the court, and shall be paid by the party making application for such road to the owner or owners of such land, before the order to open such road is issued: And provided further, The part or parts of such road located over the surface shall be so constructed and maintained as not to obstruct any public highway, or to pass through or over any grave yard or church property. 1897, July 9, P.L. 213, No. 173, Sec. 1; 1901, May 259, Sec. 1.