

COUNTY ROADS LYING JOINTLY IN TWO COUNTIES

Act of May 25, 1923, P.L. 454, No. 245

Cl. 16

AN ACT

To provide for the laying out, altering and vacating roads, lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another; and providing for the location, construction of a joint county bridge on said road.

Compiler's Note: Section 1051 of Act 447 of 1929 provided that Act 245 is repealed except insofar as it relates to counties of the first class.

Section 1. Be it enacted, &c., That roads forming or intended to form a continuous highway from one county to another, which crosses a river, creek, or rivulet forming a boundary line between said counties, may be laid out or altered or vacated in the manner provided in the case of other roads, except that the court of quarter sessions of each county shall appoint three viewers, and that a report as aforesaid shall be made to each court respectively, and that each court shall otherwise have and exercise concurrent jurisdiction therein.

Section 2. Whenever roads are laid out, altered, or vacated, as referred to in section one of this act, over a river, creek, or rivulet, and in such laying out, altering, or vacating of said road it becomes necessary to vacate an existing bridge and construct a joint county bridge on a different site, the same viewers who view the laying out, altering, or vacating of said road shall at the same time have the authority to locate a new joint county bridge on the route of the road as laid out, altered, or vacated, and the report on the road and the joint county bridge shall be made in the same report, and shall be returned to each of the courts as soon as said report is completed: Provided also, however, That in the petition for the view of the road, there is contained a request for relocation of said joint county bridge: Provided, That before any such road and joint county bridge shall be finally confirmed by the court, the same shall be approved by a grand jury and the court in each of the respective counties and after the approval of such road and joint county bridge by said grand juries and court, the report shall be confirmed "nisi" by the courts of each county, which report shall become absolute in thirty days unless exceptions thereto be filed in the manner provided by law. If exceptions be filed, the said courts shall hear said exceptions and make a final decree either confirming said report or setting it aside as is now provided by law in similar cases.

Section 3. Any such bridge, when authorized and located, shall be erected, constructed, maintained, and kept in repair in the manner now provided by the general road laws of the Commonwealth for bridges erected on the line of adjoining counties.