

No. 68.

AN ACT

Providing for the repair by the county commissioners of bridges, viaducts, or subways, carrying a public highway over or under any railroad, street railway, or other highway, where a dispute exists between municipal authorities, or between municipal authorities and public service corporations, as to the responsibility for such repair, and providing for the collection of the cost of such repairs and supervision of the work.

Section 1. Be it enacted, &c., That whenever any bridge, viaduct, or subway, carrying a public highway over or under a railroad, street railway, or other highway in any county of the Commonwealth is out of repair, and an application has been made to the Public Service Commission to compel the repair thereof, from which proceedings it appears that there is a contest between two or more municipal authorities, or between such authorities and one or more public service corporations, as to the liability for such repair, and that the cost thereof is not in dispute, the petitioner or petitioners, or any other person or corporation interested, may forthwith apply to the county commissioners of such county for the prompt repair thereof.

Section 2. Such application shall be made by serving upon the county commissioners a certified copy of the petition and each of the answers on file before the Public Service Commission. After such service, the county commissioners shall be authorized to take such steps as may be necessary to place said bridge, viaduct, or subway in repair and safe for public travel.

Section 3. Should the county commissioners find it impracticable to make such repairs with county funds, they shall so notify the complainant in the proceedings instituted before the Public Service Commission as aforesaid. Thereupon any individual, corporation, or association interested in having such repairs made may contribute to a fund deposited with the county treasurer for the purpose of making said repairs, and, when said fund shall become sufficient for said purpose, it shall become the duty of said commissioners to take the said steps necessary to place said bridge, viaduct, or subway in repair and safe for public travel as aforesaid. Said repairs may be made partly from such contributions and partly from public funds, if the commissioners find it expedient so to do.

Section 4. The cost of said repair shall be kept by the commissioners in an open account until there has been a final adjudication of the proceedings before

Bridges,
viaducts, and
subways.

Repairs pending proceedings before Public Service Commission.

Application to county commissioners.

Repair by commissioners.

Repair by commissioners impracticable.

Contributions by interested parties.

Collection of cost of repairs.

the Public Service Commission, whereupon the amount so expended, together with five per centum of such amount to cover the cost of supervision of the work, shall be collected as awards of the Public Service Commission are collected, and shall be paid into the county treasury. Thereupon, or in case the contributions aforesaid are insufficient to cause said work to be undertaken, any contributions which may have been made as aforesaid shall be returned to the contributors.

Return of contributions.

To what cases applicable.

Section 5. This act shall apply to all cases now pending or to be brought hereafter and coming within the provisions hereof.

APPROVED—The 7th day of April, A. D. 1921.

WM. C. SPROUL.

No. 69.

AN ACT

Providing for the depositing of money with magistrates, justices of the peace, and aldermen in lieu of bail or recognizances with surety or sureties in criminal prosecutions, desertion and non-support, and surety of the peace.

Bail and recognizances. Magistrates, justices and aldermen.

Hearings before.

Cash.

Where defendant is bound over.

Return to court.

Section 1. Be it enacted, &c., That in all criminal prosecutions in which magistrates, justices of the peace, and aldermen have the right and authority to take bail, and in proceedings for desertion and non-support and surety of the peace, in lieu of bail and recognizances with surety or sureties, the party or parties required to give and enter said bail or recognizances for hearing or continued hearing before the said magistrates, justices of the peace, and aldermen, are hereby authorized and allowed to deposit, with the magistrates, justices of the peace, and aldermen, the amount in which bail or recognizance is required, in current funds of the United States, and said deposit shall be sufficient bail or recognizance, upon the defendant or defendants entering his or their own recognizance in the prosecution or proceeding, to which said defendant or defendants would be entitled under existing laws by entering bail or recognizance with sufficient surety or sureties.

Section 2. That upon the binding over of the defendant or defendants in any prosecution or proceeding as aforesaid, by the magistrates, justice of the peace, or alderman, to the court of oyer and terminer and court of quarter sessions of the peace or other proper court of record, the said magistrate, justice of the peace, or alderman shall make an immediate return of the prosecution or proceeding to the court of