

No. 56

AN ACT

To amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," giving courts discretion with respect to certain surcharges against county commissioners.

Section 1. Be it enacted, &c., That section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

Section 348. Contracts.—All contracts made by the commissioners of any county involving an expenditure exceeding one hundred dollars, except contracts for building, rebuilding, or repair of bridges, or for painting or tightening the bolts of iron bridges as hereinafter provided for, shall be in writing, and shall, immediately after their execution, be filed with the controller. No contract shall be made, nor the payment thereof certified, by the controller for over three hundred dollars, unless made with the lowest and best bidder, after due notice to be published by the controller when directed by the commissioners, if he approves the purpose of the proposals invited. All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon. The controller shall keep a record of all such awards, and shall certify no warrants for contracts not made agreeably thereto: *Provided, however, That on an appeal heretofore or hereafter taken from a controller's report, the court shall not be required to enter or to sustain a surcharge for failure to comply with the provisions of this section, where it appears that the county commissioners acted honestly and in good faith for the best interests of the county, and where no loss or damage resulted to the county from such non-compliance.*

Counties.

Section 348, act of May 2, 1929 (P. L. 1278), amended.

Contracts made by county commissioners.

Bids to be received by the controller.

Proviso.

APPROVED—The 7th day of May, A. D. 1935.

GEORGE H. EARLE