

though any fine imposed has already been paid, may, within [five] *ten* days after such conviction, appeal to the court of quarter sessions of the county in which such magistrate shall reside or court not of record shall be held, upon allowance of the said court of quarter sessions, or any judge thereof, upon cause shown; and either party may also appeal from the judgment of a magistrate or a court not of record, in a suit for a penalty, to the court of common pleas of the county in which said judgment shall be rendered, upon allowance of said court, or any judge thereof, upon cause shown: Provided, That pending the taking of an appeal by either party, or the allowance or refusal thereof by the court or judge, the fine, or penalty, and costs imposed by the magistrate, or court not of record, need not be paid if bail is entered with one or more sufficient sureties in double the amount of such fine, or penalty, and costs for the payment thereof, on the refusal of such appeal; or if allowed, on the final disposal of such appeal. If the defendant pays the fine or penalty and costs imposed and wishes to take an appeal under the provisions of this section he shall give bail in double the probable amount of costs that may accrue in the final disposition of the appeal.

In suits for penalties.

Proviso.

APPROVED—The 3rd day of June, A. D. 1953.

JOHN S. FINE

No. 48

### AN ACT

To amend section 916 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to injure or break television towers, wires, cables, or to interfere with the electrical signals thereof; and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

"The Penal Code."

Section 1. Section 916 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," is hereby amended to read as follows:

Section 916, act of June 24, 1939, P. L. 872, amended.

Section 916. Malicious Injury to Property.—Whoever unlawfully and maliciously breaks, injures, or otherwise destroys or damages any part of any locomotive or stationary engine, inclined plane, engine house, station or depot, bridge, culvert, trestle work or other building

or structure belonging to any railroad, or wantonly and maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine, used or employed on any railroad; or wilfully and maliciously destroys or injures any fence or wall, cross road passing over or under such railroad; or unlawfully and maliciously breaks, injures or otherwise destroys or damages any of the posts, wires or other materials or fixtures employed in the construction and use in any line of an electrical telegraph or telephone, or wilfully and maliciously interferes with such structure so erected or in any way attempts to lead from its uses or make use of the electrical current, or any portion thereof, properly belonging to and in use, or in readiness to be made use of, for the purpose of communicating telegraphically or telephonically from one station of a telegraph or telephone company to another established station of the same, or a connecting telegraph or telephone line; or *wilfully and maliciously breaks, injures or otherwise destroys or damages any of the posts, wires, towers or other materials or fixtures employed in the construction and use in any line of a television co-ax cable, or wilfully and maliciously interferes with such structure so erected, or in any way attempts to lead from its uses or make use of the electrical signal or any portion thereof properly belonging to and in use or in readiness to be made use of, for the purpose of using said electrical signal from any television co-ax cable company or owner of such property*; or unlawfully and maliciously breaks, injures or otherwise destroys or damages any bridge, river or meadow bank or mill dam; or wilfully and maliciously takes down, injures, removes or in any manner damages or destroys any flag, flag-staff, beacon, buoy, or other way or water marks, which now are or hereafter may be put, erected or placed, by lawful authority, near or in any streams that are or may be declared public highways; or unlawfully and maliciously cuts, breaks or otherwise destroys any lead, tin, copper or iron spout affixed to any house or other building, public or private; or unlawfully and maliciously daubs, paints or otherwise defaces any dwelling house, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or undergo imprisonment not exceeding twelve (12) months, or both.

APPROVED—The 3rd day of June, A. D. 1953.

JOHN S. FINE