

vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," restricting the provisions relating to the limitations on size of certain vehicles.

The Vehicle Code.

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

Subsection (a), section 902, act of May 1, 1929, P. L. 905, amended March 6, 1956, P. L. 1225, further amended.

Section 1. Subsection (a) of section 902, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," amended March 6, 1956 (P. L. 1225), is amended to read:

Section 902. Size of Vehicles and Loads.—

(a) No vehicle, except motor buses, motor omnibuses and fire department equipment, street sweepers, and snow plows, shall exceed a total maximum width, including any load thereon, of ninety-six (96) inches, except that the limitations as to size of vehicle stated in this act shall not apply to vehicles loaded with hay, [or] straw, *peas, beans, or corn in bulk, or farm machinery owned by farmers or farm equipment dealers, when such vehicles are operated on highways other than the Pennsylvania Turnpike. Vehicles loaded with farm machinery shall not exceed a total maximum width, including load, of one hundred ten (110) inches.*

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Effective date.

Section 2. This act shall take effect in thirty days.

APPROVED—The 6th day of June, A. D. 1957.

GEORGE M. LEADER

No. 138

AN ACT

Amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," enlarging the jurisdiction of the municipal court.

Philadelphia Municipal Court.

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

Section 10, act of July 12, 1913, P. L. 711, amended April 27, 1923, P. L. 107, and July 11, 1923, P. L. 1035, further amended.

Section 1. Section 10, act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Phila-

delphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," amended April 27, 1923 (P. L. 107) and July 11, 1923 (P. L. 1035), is amended to read:

Section 10. The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy, exclusive of interest and costs, does not exceed the sum of [two thousand five hundred dollars (\$2500)] *five thousand dollars (\$5000)*. In all civil cases where the value of the matter or thing in controversy, exclusive of interest and costs, does not exceed the sum of one hundred dollars, the action shall be commenced only in the municipal court or in a magistrate court. In any civil action commenced in the said municipal court the costs shall follow the judgment, as in the court of common pleas, regardless of the amount claimed or of the amount of said judgment. All proceedings in civil cases before magistrates, that are sought to be reviewed by appeal, shall hereafter be taken only to the municipal court created by the act of which this is an amendment, instead of to the court of common pleas as heretofore practiced. Save as aforesaid, such review by appeal shall be had in the same manner and subject to the same restrictions as provided by existing law. The amount claimed by the plaintiff, where the said claim is for a sum certain, shall be conclusive as to the jurisdiction of the court; in all civil actions brought for the recovery of money, and in actions at law or in equity not involving any sum certain, the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy. The said court shall also have jurisdiction in adoption proceedings and in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County.

The said court shall also have authority, with the consent of the court of common pleas, upon the application of the plaintiff, to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdiction, and also to transfer to the court of common pleas, upon the application of the defendant, all suits which may be brought in the municipal court within its jurisdiction where the defendant sets up as a defense a counter claim or set-off for an amount in excess of the jurisdiction of the municipal court.

Jurisdiction in civil actions.

Costs to follow judgment.

Appeals from magistrates.

Manner of taking.

Transfer of cases.

Transfer of cases.

Application of plaintiff.

Application of defendant where counter claim or set-off exceeds jurisdiction.

APPROVED—The 6th day of June, A. D. 1957.

GEORGE M. LEADER