

No. 205

## AN ACT

To amend section four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," as amended, providing a method for the service of notice of judgment upon parties or counsel in compensation cases.

Workmen's Compensation Act of 1915.

Section 427, act of June 2, 1915 (P. L. 736) as amended by act of June 26, 1919 (P. L. 642) and act of April 5, 1929 (P. L. 175), further amended.

Section 1. Be it enacted, &c., That section four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," which was amended in part by section one of the act, approved the fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, one hundred seventy-five), entitled "An act to amend the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder,' as amended, by providing that appeals in all compensation cases from the court of common pleas shall be to the Superior Court," is hereby further amended to read as follows:

## Appeals.

Section 427: Any party may appeal from any action of the board on matters of law to the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business, or, by agreement of the parties, to the court of common pleas of any other county of this Commonwealth. Such appeal must be brought within ten days after notice of the action of the board has been served upon such party, unless any court of common pleas to which an appeal lies shall, upon cause shown, extend the time herein provided for taking the appeal. The party taking the appeal shall, at the time of taking the appeal, serve upon the adverse party a written notice thereof, setting forth the date of the appeal and the court in which the same is filed, and shall file with his notice of appeal such exceptions to the action of the board as he may desire to take, and

shall specify the findings of fact, if any, of the board, or of the referee sustained by the board, which he alleges to be unsupported by competent evidence.

Upon filing of the notice of an appeal, the prothonotary of the court of common pleas to which the appeal has been taken shall issue a writ of certiorari, directed to the Workmen's Compensation Board, commanding it, within ten days after service thereof, to certify to such court its entire record in the matter in which the appeal has been taken. The writ so issued shall be mailed by the prothonotary to the bureau at Harrisburg, together with a copy of the exceptions. The board shall, within ten days after such service, certify to such court its entire record in the matter in which the appeal has been taken, including the notes of testimony.

Writ of  
certiorari.

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact, if the findings of the board or referee are not, in its opinion, sufficient to enable it to decide the question of law raised by the appeal.

Specific findings  
of fact.

If the court of common pleas of any county of this Commonwealth shall affirm an award or order of the board or of a referee sustained by the board, fixing the compensation payable under this act, the court shall enter judgment for the total amount stated by the award or order to be payable, whether then due and accrued or payable in future instalments. If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon, the court shall remit the record to the board for further hearing and determination, in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board, except that the board may order that any part of the testimony taken in the original proceedings shall be considered as though taken in such further hearing.

Judgment when  
award is affirmed.

Exceptions sus-  
tained.

Further hearing  
and determination.

The prothonotary of any court of common pleas to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered, with a copy of any opinion which may be filed in the case, *and, within five days, shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings, and if no attorney-at-law has appeared, by registered mail to the party or parties not represented by counsel.* At the end of the period hereinafter allowed for an appeal from the judgment of the court, the record of the board shall be remitted to it by the prothonotary unless an appeal shall have been taken.

Prothonotary to  
send certificate of  
judgment to  
board.

Notice to attor-  
ney-at-law or par-  
ties not repre-  
sented by counsel.

Return of  
record.

If such appeal shall be taken, the record shall be re-  
mitted to the board by the prothonotary on its return  
from the appellate court.

Appeal to Su-  
perior Court.

Any party may appeal to the Superior Court from  
the judgment of the court of common pleas within  
thirty days after entry of said judgment, irrespective  
of the amount involved. Such appeal shall be taken  
and prosecuted in the same manner and form and with  
the same effect as is provided in other cases of appeal  
to the Superior Court, and the record so certified shall  
contain all that was before the court of common pleas.  
Any appeal from the action of the board to a court of  
common pleas, and from it to the Superior Court shall  
take precedence over all other civil actions. The judg-  
ment of the Superior Court shall be final, unless an  
appeal therefrom is allowed as in the case of other  
judgments of that tribunal.

Precedence.

Finality of  
judgment.

APPROVED—The 22nd day of June, A. D. 1931.

GIFFORD PINCHOT

No. 206

### AN ACT

Permitting savings banks, savings institutions, and provident  
institutions to invest monies deposited with them in obli-  
gations of certain public utility companies.

Banks.

Investments.

Section 1. Be it enacted, &c., That from and after  
the passage of this act, trustees or directors of savings  
banks, savings institutions, and provident institutions,  
chartered under the general or special acts of Assembly  
of this Commonwealth, may, notwithstanding any pro-  
visions of their charters, or of any act of Assembly  
under which they may have been incorporated, invest  
monies deposited in the said savings banks, savings in-  
stitutions, and provident institutions in—

Railroad bonds.

(a) Obligations issued, assumed or guaranteed as to  
principal and interest by any railroad corporation,  
and/or equipment bonds of any railroad corporation of  
this State, or of any other state, or of the Dominion of  
Canada: Provided, That at no time within five (5)  
years next preceding the date of such investment, such  
railroad corporation shall have failed regularly and  
punctually to pay the matured principal and interest  
of all its indebtedness, and, in addition thereto, regu-  
larly and punctually to have earned and/or paid in  
dividends to its stockholders, during each of said five  
(5) years, an amount at least equal to four per cent  
(4%) upon all its outstanding capital stock.