

No. 124

AN ACT

Authorizing municipalities and townships to provide work for unemployed persons by renewing, repairing and replacing sidewalks.

Section 1. Be it enacted, &c., That any municipality, except cities of the first class, or township, in order to provide work for unemployed persons, may, without charging the cost thereof to the property owner, renew, repair or rebuild any sidewalks within its corporate limits, and, for such purposes and for the purchase of necessary materials, may expend any moneys which may have been provided or realized for unemployment relief purposes.

Municipalities and townships.

Unemployment relief.

Repairs to sidewalks.

Section 2. This act shall become effective immediately upon final enactment.

When effective.

APPROVED—The 18th day of May, A. D. 1933.

GIFFORD PINCHOT

No. 125

AN ACT

To amend section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred seventy-nine), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons who he alleges are alone liable or liable over to him, or jointly or severally liable with him, for the cause of action declared on, and providing for entry of judgments against such additional defendants," as amended, by providing for service of process on an added defendant in counties other than that within which the action was instituted.

Section 1. Be it enacted, &c., That section one of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred seventy-nine), entitled "An act to regulate procedure where a defendant desires to have joined, as additional defendants, persons whom he alleges are alone liable or liable over to him, or jointly or severally liable with him, for the cause of action declared on, and providing for entry of judgments against such additional defendants," as amended by section two of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, six hundred sixty-three), is hereby further amended to read as follows:

Practice.

Joinder of defendants.

Section 1, act of April 10, 1929 (P. L. 479), as amended by act of June 22, 1931, (P. L. 663), further amended.

Section 1. Be it enacted, &c., That any defendant, named in any action, may sue out, as of course, a writ of scire facias to bring upon the record, as an additional defendant, any other person alleged to be alone liable or liable over to him for the cause of action declared

Joinder of persons alleged to be primarily or secondarily liable.

Right of
original
defendant
in securing
service.

Service in
other counties.

Judgment
against
additional
defendant.

Continuation
of suit after
joinder.

on, or jointly or severally liable therefor with him, with the same force and effect as if such other had been originally sued; and such original defendant shall have the same rights in securing service of said writ as the plaintiff in the proceedings had for service of process in said cause. *Where it shall appear that service of said writ on an added defendant cannot be obtained in the county wherein the action was instituted, service of such writ may be made by the sheriff of the county in which the action was instituted deputizing the sheriff of the county wherein such added defendant resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county.* Where it shall appear that an added defendant is liable to the plaintiff, either alone or jointly with any other defendant, the plaintiff may have verdict and judgment or other relief against such additional defendant to the same extent as if such defendant had been duly summoned by the plaintiff and the statement of claim had been amended to include such defendant, and as if he had replied thereto denying all liability.

Upon the joinder of additional defendants under the terms of this act, such suit shall continue, both before and after judgment, according to equitable principles, although at common law, or under existing statutes, the plaintiff could not properly have joined all such parties as defendants.

APPROVED—The 18th day of May, A. D. 1933.

GIFFORD PINCHOT

No. 126

AN ACT

To amend section five of the act, approved the nineteenth day of August, one thousand nine hundred and thirty-two (Pamphlet Laws, ninety-two), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties," extending the period for payment of part of the tax.

Emergency
Relief Sales
Tax Act.

Section 5.
act of August
19, 1932
(P. L. 92).
amended.

Section 1. Be it enacted, &c., That section five of the act, approved the nineteenth day of August, one thousand nine hundred and thirty-two (Pamphlet Laws, ninety-two), entitled "An act to provide revenue by imposing an emergency sales tax for State purposes upon sales of tangible personal property by vendors, as herein defined; prescribing the method and manner of collecting such tax; and providing penalties," is hereby amended to read as follows: