

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1063** Session of
1919.

INTRODUCED BY MR. HESS, MARCH 24, 1919.

REFERRED TO COMMITTEE ON JUDICIARY LOCAL,
MARCH 25, 1919.

AN ACT

To amend section one of an act entitled "An act relative to costs in civil suits before Alderman and Justices of the Peace and the collection of the same" approved the twenty-ninth day of May Anno Domini one thousand nine hundred and seven providing that when an appellant shall enter good and sufficient bail absolute for the payment of debt interest and costs on affirmation of the judgment in which case the appellant shall not be required to pay the costs before taking such appeal

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 *section one of an act entitled "An act relative to costs*
5 *in suits before Alderman and Justices of the Peace and*
6 *the collection of the same" approved the twenty-ninth day*
7 *of May Anno Domini one thousand nine hundred and*
8 *seven which reads as follows*

1 "That in all cases of Appeal from the judgment of
2 an Alderman or Justice of the Peace the said Alder-
3 man or Justice shall be entitled to demand and receive
4 from the appellant the costs in the case before making
5 and delivery of the transcripts for said appeal and if
6 the appellant shall finally recover judgment in the case
7 appealed he shall be entitled to receive and collect from
8 the adverse party the costs so as aforesaid paid on
9 appeal Provided however That if any appellant shall give
10 good and sufficient bail absolute for the payment of the
11 debt interest and costs that have and will accrue on
12 affirmation of the judgment the appellant shall not be
13 required to pay any costs before taking an appeal" be
14 amended to read as follows

15 That in all cases of appeal in civil suits from the
16 judgment of a Magistrate Alderman or Justice of the
17 Peace the said Magistrate Alderman or Justice of the
18 Peace shall be entitled to demand and receive from the
19 appellant the costs in the case before making and de-
20 livery of the transcript for said appeal and if the
21 appellant shall finally recover judgment in the case ap-
22 pealed the appellant shall be entitled to receive and col-
23 lect from the adverse party the costs so as aforesaid
24 paid on appeal Provided however That if any appellant
25 shall give good and sufficient bail absolute conditioned
26 for the payment of debt interest and costs that have
27 and will accrue on affirmation of the judgment and for
28 the payment of the costs upon entry of a non suit
29 amicable adjustment or discontinance of the suit and that

1 the appellant shall prosecute said appeal with effect the
2 appellant shall not be required to pay the accrued costs
3 before taking the appeal

4 Section 2 All acts or parts of acts general special
5 or local inconsistent herewith be and the same are
6 hereby repealed