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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No. **702** Session of  
1961

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INTRODUCED BY MESSRS. BELL, WARE AND SESLER,  
MAY 31, 1961.

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REFERRED TO COMMITTEE ON JUDICIARY GENERAL,  
MAY 31, 1961.

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## AN ACT

Amending the act of July 20 1917 (P L 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases

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

- 1 Section 1 Section 1 act of July 20 1917 (P L 1158) entitled "An
- 2 act to fix regulate and establish the fees to be charged and received

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 by constables in this Commonwealth" amended June 28 1951 (P L.  
2 931) is amended to read

3 Section 1 Be it enacted &c That from and after the passage of  
4 this act the fees to be charged and received by constables in this Com-  
5 monwealth shall be as follows

6 For executing a warrant on behalf of the Commonwealth for each  
7 defendant two dollars fifty cents

8 For conveying defendants except vagrants to jail on mittimus or  
9 warrants for each defendant [one dollar] two dollars fifty cents and  
10 in addition thereto for each mile going and returning [ten] fifteen cents

11 For arresting persons guilty of a breach of the peace riotous or  
12 disorderly conduct drunkenness or who may be engaged in the commis-  
13 sion of any unlawful act tending to imperil the personal security or  
14 endanger the property of the citizens or violating any ordinance of  
15 any borough for the violation of which a fine or penalty is imposed  
16 or offending or suspected of offending against the laws of this Com-  
17 monwealth protecting timberlands or the violation of any other law  
18 of this Commonwealth authorizing arrest by constable without process  
19 and bringing such offender before a justice of the peace for each de-  
20 fendant one dollar and for every act in or about the arrest or commit-

1 ment of vagrants two dollars fifty cents for each vagrant so arrested  
2 or arrested and committed and mileage as hereinafter provided

3 For levying a fine or forfeiture on a warrant fifty cents

4 For taking the body of a defendant into custody on a mittimus  
5 where bail is afterwards entered before delivery of body to the jailer  
6 two dollars fifty cents

7 For executing discharge to jailer two dollars fifty cents

8 For executing bail-piece [one dollar] two dollars fifty cents

9 For executing a search-warrant and making return thereon one  
10 dollar

11 For making returns to the court of quarter sessions two dollars  
12 and fifty cents

13 For serving summons notices on referees suitor or tenant either  
14 personally or by leaving copy [one dollar] two dollars fifty cents for  
15 each person served

16 For serving subpoena in all cases one dollar fifty cents for the  
17 first witness and seventy-five cents for each additional witness served

18 For executing attachment one dollar fifty cents for each defend-  
19 ant and garnishee served

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- 1 For arresting on a capias one dollar for each person arrested
- 2 For taking bail on a capias or for delivery of goods fifty cents
- 3 For notifying plaintiff where defendant has been arrested on capias
- 4 to be paid by plaintiff twenty-five cents
- 5 For serving capias execution [one dollar] two dollars fifty cents
- 6 For executing landlord's warrant [two] three dollars
- 7 For taking inventory of goods each item two cents
- 8 For levying or distraining goods [two] three dollars fifty cents
- 9 For advertising personal property to public sale two dollars and
- 10 fifty cents
- 11 For selling goods levied or distrained two dollars and when the
- 12 same continues longer than three hours five dollars per day
- 13 For clerk hire at said sales when necessary five dollars per day
- 14 For watchman taking charge of property levied on when necessary
- 15 five dollars per day also reasonable expenses of insurance arranging
- 16 goods for sale heat light storage rent transportation feeding live-stock
- 17 and similar expenses incurred in caring for and keeping goods and
- 18 chattels levied upon when the same is necessary and advantageous or
- 19 when requested by the plaintiff or defendant to incur such expense.

- 1 For receiving and paying over money paid after a levy without
- 2 sale one dollar and fifty cents
- 3 For copy of vendue paper when demanded each item two cents
- 4 For putting up notice of distress at mansion-house or at any other
- 5 place on the premises fifty cents
- 6 For serving scire facias either personally or by leaving a copy for
- 7 each person served [one dollar] two dollars fifty cents for the first
- 8 copy seventy-five cents for each additional copy
- 9 For executing order of removal of a pauper or paupers two
- 10 dollars for each pauper
- 11 For making return of nulla bona or non est inventus on any writ
- 12 one dollar fifty cents
- 13 For executing writ of restitution five dollars
- 14 For executing writ of possession five dollars
- 15 For serving summons in landlord and tenant proceedings [one
- 16 dollar] two dollars fifty cents
- 17 For taking inventory of goods on an execution each item two cents

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1      For holding appraisement where exemption is claimed by de-  
2 fendant four dollars out of which the constable shall pay to each ap-  
3 praiser one dollar

4      For traveling expenses in the performance of any duty or service  
5 hereinbefore set forth or in the performance of any other duty or  
6 service required by law each mile going and returning [~~ten~~] fifteen  
7 cents to be computed by the route usually traveled in going from  
8 points and places where said constables may reside or where he receives  
9 any paper to be executed to the points or places required to be traveled  
10 whether that route be by highways railroads or otherwise Provided  
11 That in no case shall more mileage be demanded or received than for  
12 the miles actually traveled

13      For services not herein specially provided for the same fee may  
14 be charged and received as for similar services

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved—The .....day of .....A. D. 1981.

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Governor