

No. 275.

AN ACT

To ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of less than one hundred fifty thousand; and to provide the time for paying the same.

Counties under
150,000.

Section 1. Be it enacted, &c., That the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of less than one hundred fifty thousand shall be as follows:

Fees of prothono-
taries.

Issuing every writ of summons or *capias*, docketing same, and entering return of service, but not more than three names, one dollar and fifty cents.

Issuing writ of summons in *ejectment*, docketing same, and entering return of service, and indexing in *ejectment* index, not more than three parties or more than one description, two dollars and fifty cents.

Entering and docketing *amicable ejectment*, including entering judgment thereon, and indexing in *ejectment* docket, not more than three names or more than one description, three dollars.

Issuing writ of *scire facias sur mortgage* or *mechanics' lien*, not more than three names or more than one description, two dollars, to include certificate to recorder in case of *scire facias sur mortgage*.

Issuing and docketing writ of foreign attachment, and entering return of service, not more than three names, two dollars and fifty cents.

Issuing and docketing *mandamus, quo warranto*, and entering return of service, not more than three names, two dollars and fifty cents.

Alias summons or *capias*, one dollar.

Alias summons in *ejectment*, one dollar and fifty cents.

Issuing and docketing attachment, execution, or *mandamus* execution, or alias attachment execution, or alias *mandamus* execution, not more than three names, two dollars.

Entering *amicable action* or *case stated*, filing papers, and docket entries, not more than three names, one dollar and fifty cents.

Issuing every writ of *certiorai*, docketing same, services at court, and entering judgment thereon, not more than three names, three dollars.

Issuing writs of *replevin*, docketing, entering return of service, filing bond and declaration, two dollars and fifty cents.

Filing and docketing counter-bond in replevin and certificate to sheriff, one dollar.

Each additional name, twenty-five cents.

Each additional description, fifty cents.

Filing and docketing appearance, statement, declaration, affidavit of defense, demurrer, pleas, or any other paper in an action pending, twenty-five cents.

Placing case upon issue list, to be paid by the county, each, twenty-five cents.

Issuing and docketing license to peddle, to be paid by the county, one dollar and fifty cents.

Suggesting death of a party, diminution record, or amending record, fifty cents.

Framing an issue in any action, one dollar.

Entering motions, twenty-five cents.

Entering order of court in any action pending, not over one hundred words, fifty cents.

Each additional one hundred words, twenty-five cents

Filing praecipe for jury trial list, twenty-five cents.

Placing case upon the argument list, twenty-five cents.

All services during the trial of a cause, including swearing of jury and witnesses, two dollars.

Verdict, fee, and indexing in judgment docket, two dollars.

Filing and entering agreement to refer to referee, including entering judgment, not more than three names, one dollar and twenty-five cents.

Each additional name, twenty-five cents.

Entering rule of reference, appointment of arbitrators and service incident thereto, two dollars.

Filing and entering report of arbitrators, including judgment docket entry, not more than three names, one dollar.

Each additional name, twenty-five cents.

Filing and docketing appeal from award of arbitrators, one dollar.

Entering discontinuance of suit, one dollar.

Every suit ended before issue joined or before jury trial, one dollar.

Entering judgment on bond and warrant of attorney, upon confession by defendant, for want of an appearance, plea, or want of an affidavit of defense, or sufficient affidavit of defense, on verdict, demurrer, including judgment index entry, not more than three names, one dollar.

Each additional name, twenty-five cents.

Entering satisfaction of judgment, twenty-five cents.

Entry of assignment, postponement, or release of lien of judgment, each property, fifty cents.

Attestation, twenty-five cents.

Reporting list of judgments, assignments, and satisfaction entered, to be paid by the county, each, ten cents.

Filing and entering appointments made by the court, to be paid by the county, two dollars and fifty cents.

Certificates of appointment, to be paid by the county, each, fifty cents.

Entry of motion and order of court for admission of attorney-at-law and certificate thereof, two dollars and fifty cents.

Adoption, including decree, change of name, certificate thereof, and all docket entries, two dollars and fifty cents.

Change of name of person and certificate thereof, including all docket entries, except in adoption or naturalization proceedings, two dollars and fifty cents.

Filing and entering appeal from report of auditors, two dollars and fifty cents.

Filing and entering county controller's report, to be paid by the county, two dollars and fifty cents.

Bail-piece, one dollar and fifty cents.

Filing corporate charter, petition for change of corporate name, or alteration or amendment of charter, for merger, copartnership, or dissolution of partnership, three dollars.

Certificate under seal, fifty cents.

Entering, docketing, and making return of certiorari to Supreme or Superior Court, filing bond, and filing and docketing remittitur therefrom, three dollars.

Commission to take testimony, entering return, and notifying each party of return of commission, one dollar and fifty cents.

Citation and seal and motion therefor, one dollar and fifty cents.

Writ of habeas corpus and all proceedings, to be paid by the county, two dollars.

Filing and docketing orders of the court, to be paid by the county, each, two dollars and fifty cents.

Petition for divorce, order thereon, and subpoena in divorce, including docketing same, two dollars and fifty cents.

Receiving, disbursing, and accounting for deposits in divorce, one dollar.

Alias subpoena in divorce, one dollar.

Application for maintenance or alimony, one dollar.

Issuing order for proclamation and entering return, one dollar.

Appointment of master and filing report, one dollar.

Filing and docketing rule for final decree, one dollar.

Filing and docketing motions and rules and other pleadings in divorce, each, fifty cents.

Entering decree in minute book or other docket, and indexing in index docket, one dollar.

Certificate of divorce under seal, two dollars.

Filing and docketing municipal or tax lien, each, one dollar and fifty cents.

Filing election returns and all proceedings thereon, to be paid by the county, each district, two dollars.

Entering, indexing, and docketing judgments against tax collectors, to be paid by the county, each, one dollar and fifty cents.

Entering and docketing exemplification of record, or Commonwealth lien, not more than three names, one dollar and fifty cents.

Each additional name, twenty-five cents.

Exemplified record, per hundred words, twenty-five cents, minimum fee, two dollars.

Comparing copies, ready-made, per one hundred words, five cents; not to apply to exemplifications.

Certifying copies, ready-made, fifty cents.

Entering and filing mechanics' lien, one description and not more than three names, two dollars.

Entering and filing stipulation against liens, one dollar and fifty cents.

Entering and filing building agreements, one description, not more than three names, one dollar and fifty cents.

Each additional name, twenty-five cents.

Each additional description, fifty cents.

Transcribing same in full, per one hundred words, twenty-five cents.

Drawing special jury, striking same, and copies for parties, seventy-five cents.

Certificate for pay for jurors, each juror to be paid by the county, twenty-five cents.

Rule for interrogatories and entering return of service, each garnishee, one dollar.

Filing acceptances and reporting election of justices of the peace to the Secretary of the Commonwealth, to be paid by the county, each, fifty cents.

Notifying county officers, auditors, directors of the poor, and election officers of their election, to be paid by the county, each, fifty cents.

Filing and docketing petition for the appointment of a commission de lunatico, and for inquisition in re habitual drunkard, for the appointment of a committee in insolvency, for the sale of unclaimed goods, or other petitions in connection with any proceedings, including order of court thereon, each two dollars and fifty cents.

Issuing commission in lunacy and entering return, one dollar.

Writ to sheriff in lunacy, one dollar.

Entering confirmation of inquisition and appointment of committee in lunacy, one dollar.

All services on sale of lunatic's or habitual drunkard's estate, two dollars and fifty cents.

Filing each account, one dollar.

Filing and docketing other documents in said proceedings, each, twenty-five cents.

Preparing files and records for cases on trial or argument list, to be paid by the county, each case, fifty cents.

Issuing attachment for contempt and motion therefor, to be paid by the county, each, one dollar.

Certificate of notary public, twenty-five cents.

Administering oath other than on the trial of a case, twenty-five cents.

Filing and docketing petition to sell or mortgage real estate, for the satisfaction of lost or ancient mortgage, including order of court thereon, one description and not more than three names, five dollars.

Each additional description, fifty cents.

Each additional name, twenty-five cents.

Filing and docketing appointment of school auditors, annual report and preparing notice for publication, and certificate of auditors and their pay, five dollars.

Reporting to Secretary of Commonwealth copies of election returns, for each person or party returned, to be paid by the county, fifty cents.

Issuing every writ, alias, or pluries writ of fieri facias, one dollar.

Issuing every writ, alias, or pluries writ of venditioni exponas, levare facias, habere, capias ad satisfaciendum, one description, one dollar.

Each additional description, fifty cents.

Issuing writ of scire facias or alias scire facias on lien, claim, judgment to revive, judgment sur bail in error, sur recognizance, sur certificate of the orphans' court, including certificate to clerk, to executors and administrators of deceased party, to garnishee in foreign attachment or on bill of discovery, two dollars.

Noting number of scire facias, execution, or of attachment execution on docket entries of case from which same was issued, twenty-five cents.

Filing and entering suggestion sur municipal lien, one dollar.

Entering revival of judgment by agreement, two dollars.

Entering testatum fi. fa., sa., or vend. ex., one dollar and twenty-five cents.

Issuing testatum fi. fa., ca., sa., or vend. ex., one dollar and twenty-five cents.

Filing and docketing petition for a sheriff's interpleader, including orders of court thereon, two dollars and fifty cents.

Entering transcript of judgment or appeal from justice of the peace or magistrate, including docket entries, one dollar and twenty-five cents.

Entering satisfaction upon judgment and locality indexes, each entry, twenty-five cents.

Entering appointments of guardian ad litem, fifty cents.

Docketing and filing bill to perpetuate testimony, order of court thereon, and recording same, two dollars and fifty cents.

Filing and docketing petition for the appointment of viewers, filing report and confirmation, five dollars.

Proclamation, one dollar and fifty cents.

Registration of student-at-law, physician, veterinarian, or dentist, one dollar.

Taxing bill of costs, twenty-five cents.

Filing exceptions and rule to retax bill of costs, and filing report thereon, fifty cents.

Retaxing bill of costs, each hour, one dollar.

Taking testimony thereon, per one hundred words, twenty-five cents.

Taking a recognizance, twenty-five cents.

Entering a rule to take depositions, fifty cents.

Issuing a subpoena under seal, thirty cents.

Registration of stallion, one dollar.

Making search for liens in judgment docket index for five years last past, each name, twenty-five cents.

Furnishing list of liens, except certificate and seal, twenty-five cents for first lien, and ten cents for each additional lien.

Certificate of no liens for each five years or fraction thereof, fifty cents.

Making search in any other docket for five years last past, each twenty-five cents.

Each reference found, ten cents.

Each reference cited, twenty cents.

Acknowledgment of sheriff's or treasurer's deed, including all docket entries incident thereto, one dollar.

Service of each minute or court clerk during sessions of court, to be paid by the county, each day, four dollars.

Receiving and distributing money paid into court, for each dollar under five hundred, two cents.

For each dollar exceeding five hundred dollars, one cent.

Filing financial statements of surety companies et cetera, one dollar.

Recording any document required by law to be recorded, per one hundred words, twenty-five cents.

Drawing, filing, and docketing bond and justification thereon, including seal and oath, one dollar and twenty-five cents.

Filing and docketing account or report of assignee, auditors, trustee, committee, sequestrator, master, or examiner, two dollars and fifty cents.

Transcribing report, per one hundred words, twenty-five cents.

Filing, docketing, and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety, three dollars.

Filing and docketing appeal from award of road jury or railroad jury, one dollar and twenty-five cents.

Issuing and docketing order of sale in partition, one dollar and fifty cents.

Filing and docketing exemplification of judgment from another county, one dollar and fifty cents.

Indexing suit commenced against a decedent's estate, twenty-five cents.

Filing, entering, and indexing in judgment docket a certificate from another county or a suit against decedent's estate, one dollar and fifty cents.

Filing and indexing sheriff's certificate of attachment upon real estate, or levy on after acquired real estate, one dollar.

Certificate to exemplification of record under act of Congress, one dollar.

Entering transcript from the orphans' court of amount due by executors, administrators, or guardians, each entry, one dollar.

Entry of precept from the orphans' court, two dollars and fifty cents.

Each entry upon locality index, twenty-five cents.

Filing and docketing any petition not herein provided for, two dollars and fifty cents.

Filing and docketing bill in equity and rule to appear and answer, not over four names, two dollars and fifty cents; each additional name, twenty-five cents.

Filing and docketing bill in equity for injunction, issuing injunction and order of court thereon, not over three defendants, three dollars and fifty cents.

Each additional defendant, fifty cents.

Entering appearance, filing answer, demurrer, replication, twenty-five cents.

Entering any order of court, minimum fifty cents.

Entering judgment, one dollar.

For computation or verifying computation of judgment by default of appearance or affidavit of defense, one dollar.

Entering, serving, and returning decree nisi, three dollars.

The writ, fees, and entry fees in the foregoing fee bill are intended to include the indexing of plaintiffs and defendants as contemplated by the act of the twenty-seventh day of March, one thousand eight hundred and twenty-seven, section five (**Pamphlet Laws,**

three hundred and twenty), but not to include the index to plaintiffs in the D. S. B. docket for which a fee of twenty-five cents provided by the act directing such index and not to include the special indexing provided in other acts.

For re-indexing cases in which only the parties' names, number, term, and year are written, five cents for each line, to include comparing.

For re-indexing judgments, sheriff's deeds, treasurer's deeds, and the like, in which additional information to the parties, number, term, and year is inserted, ten cents for each line or index entry: Provided, That a higher rate may be allowed at the discretion of the court ordering such indexing to be done.

Filing any paper not above specified, twenty-five cents.

Duplicate copy of naturalization paper, one dollar.

Appeal from Compensation Board, five dollars for all proceedings in connection therewith.

Filing and entering remittitur and exemplification from Supreme Court, one dollar and seventy-five cents.

Entering conditional sale contract, two dollars.

The fee for services not herein specifically provided for shall be the same as for similar services: And provided, That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied.

Section 2. That the prothonotary shall not be required to issue any writ, docket any order of court, or enter any judgment thereon or perform any service whatsoever until the requisite fee is paid.

May demand costs in advance.

Section 3. That all acts or parts of acts, general, local, or special, inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 2nd day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 276.

AN ACT

To amend article thirteen of the act, approved the twenty-seventh day of June, Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," providing for a charge on property for the use of sewers and sewage disposal plants and the collection of such charge.

Section 1. Be it enacted, &c., That article thirteen of the act, approved the twenty-seventh day of June,

Cities of the third class.