

Proviso.

limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed: Provided further, That no statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended, renewed and revived.

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

GIFFORD PINCHOT

No. 293

AN ACT

Making it the duty of counties of the first class, cities, incorporated towns, and poor districts, herein defined as municipalities, to require persons, co-partnerships, associations, and corporations, entering into contracts with such municipalities for the construction, erection, installation, completion, alteration, repair of, or addition to, any public work or improvement, to give (in addition to any other bond which may now or hereafter be required by law) an additional bond conditioned for the payment of material and labor furnished, supplied, or performed in the prosecution of such work or improvement, and providing for suits and recovery on such bonds; and repealing existing laws.

Municipal contracts.
"Municipality," defined.

Contractor required to give bond for use of labor and material-men.

Condition of bond.

Section 1. Be it enacted, &c., That the word "municipality," as used in this act, shall be construed to mean and include a county of the first class, city, incorporated town, and poor district.

Section 2. It shall be the duty of every municipality to require any person, co-partnership, association, or corporation, entering into a contract with such municipality for the construction, erection, installation, completion, alteration, repair of, or addition to, any public work or improvement of any kind whatsoever, where the amount of such contract is in excess of five hundred (\$500) dollars, before commencing work under such contract, to execute and deliver to such municipality, in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract, an additional bond, for the use of any and every person, co-partnership, association, or corporation interested, in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price as such municipality may prescribe, having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth, conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work, whether or not the said material or labor enter into and become

component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the municipality for the use of any party interested therein. Every such additional bond shall provide that every person, co-partnership, association, or corporation who, whether as subcontractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided, and who has not been paid therefor, may sue in assumpsit on said additional bond, in the name of the municipality, for his, their, or its use, and prosecute the same to final judgment, for such sum or sums as may be justly due him, them, or it and have execution thereon: Provided, however, That the municipality shall not be liable for the payment of any costs or expense of any suit.

Suit on bond.

Proviso.

Section 3. The act, approved the tenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, one hundred fifty-eight), entitled "An act to authorize counties, cities, boroughs, towns, townships, school districts, and poor districts to require a bond to protect labor and material-men, and providing for suits thereon by laborers and material-men furnishing labor and material in and about the erection, alteration, addition, and repair of public buildings," is hereby repealed.

Act of
May 10, 1917
(P. L. 158),
repealed.

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

GIFFORD PINCHOT

No. 294

AN ACT

Prescribing rights and remedies, and the procedure in connection with suits and recovery on bonds conditioned for the payment of material and labor furnished, supplied, or performed in the prosecution of any public work or improvement.

Section 1. Be it enacted, &c., That the word "municipality," as used in this act, shall be construed to mean and include counties, cities, boroughs, incorporated towns, townships, school districts, and poor districts or any other incorporated district.

Municipal
contracts."Municipality,"
defined.

Section 2. Whenever the Commonwealth of Pennsylvania, acting by or through any department or agency thereof, or any municipality therein, shall require any person, co-partnership, association, or corporation, entering into a contract with such department, agency, or municipality for any public work or improvement, to execute and deliver to such department, agency, or

Bond for use
of labor and
material-men.