

of three civil service commissioners, who shall be elected by the city council by a majority vote of all the members elected thereto, and shall hold office for a term of four years and until their successors are severally elected and qualified. Vacancies in the office of civil service commissioner shall, in like manner, be filled for the remainder of the term. The commissioners shall elect from among their own number a president and secretary. Each commissioner shall qualify by filing with the mayor an oath to perform the duties of his office faithfully and without fear or favor. [and by giving bond, in the usual form, in the sum of twenty-five thousand dollars, to be approved as now provided by law.]

Power to make investigations and inquiries.

Fees of witnesses.

Officers to attend.

Disobedience to subpoena.

Contempt.

Process to compel attendance.

*Section 5-B. The commission shall have power to administer oaths, subpoena and require the attendance of witnesses, citizens and residents of this State, and the production thereby of books and papers pertinent to the investigations and inquiries hereby authorized, and to examine them and such public records as it shall require in relation to any matter which it has the authority to investigate. The fees of such witnesses for attendance and travel shall be the same as for witnesses before the courts of common pleas, and shall be paid from the appropriation for the incidental expenses of the commission. All officers in the public service, and their deputies, clerks, subordinates, and employes shall, without fee, attend and testify when required to do so by said commission. Any disobedience to, or neglect of, any subpoena issued by the said commissioners, or any one of them, to any person, shall be held a contempt of court and shall be punished by any court of common pleas of this Commonwealth as if such subpoena had been issued therefrom. Any judge of any of said courts shall, upon the application of any one of said commissioners in such cases, cause the process of said court to issue to compel such person or persons disobeying or neglecting any such subpoena to appear and to give testimony before the said commissioners or any one of them, and shall have power to punish any such contempt.*

APPROVED—The 13th day of April, A. D. 1927.

JOHN S. FISHER

No. 161

AN ACT

Providing for the refunding of moneys deposited by the Department of Highways in the State Treasury through mistake or error, or to which moneys, after such payment thereof, it sufficiently appears that the Commonwealth has no lawful claim.

Department of Highways.

Section 1. Be it enacted, &c., That whenever any moneys are or have been deposited in the State Treasury and credited to special funds for the use of the Department of Highways, and to which it appears the said department is not rightfully entitled, the person

or persons, firm, municipal corporation or corporation, who has paid the same, may present a claim to the Department of Highways for a refund. The said claim and all evidence presented therewith shall be presented to the Auditor General, State Treasurer, and Attorney General, who shall consider the same and if, in their opinion, the Department of Highways or the Commonwealth has no valid claim to such moneys and the same properly belong to the claimant or claimants and ought in equity and good faith to be refunded, they shall so certify, under their hands and official seals, specifying the amount or amounts to be refunded and the person or persons, firm, municipal corporation or corporation, to whom the same are to be paid respectively. The said certificates shall be filed in the office of the Auditor General, who shall thereupon draw his warrant upon the State Treasurer, payable to said claimant or claimants, for the amount found to be due him, it, or them, the said claims to be paid out of the fund in which the money was erroneously deposited.

Refund of moneys to which Commonwealth has no valid claim.

APPROVED—The 13th day of April, A. D. 1927

JOHN S. FISHER.

No. 162

A SUPPLEMENT

To an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, sixty-five), entitled "An act to regulate the manner of increasing the indebtedness of municipalities; to provide for the redemption of the same, and to impose penalties for the illegal increase thereof."

Section 1. Be it enacted, &c., That the term "public corporation," as used herein, shall mean any county, city, borough, township, school district, or other municipality or incorporated district in this Commonwealth.

Municipalities.

"Public corporation" defined.

Section 2. Whenever any such public corporation shall have been authorized by proceedings heretofore or hereafter had under the provisions of an act of Assembly, approved the twentieth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, sixty-five), and the amendments and supplements thereof, to increase its indebtedness to an amount exceeding two per centum upon the last preceding assessed valuation of the taxable property therein, with the assent of the electors thereof, and the corporate authorities shall deem it for the public interest to abandon its power to increase its indebtedness thereunder, either in whole or in part, and, by their ordinance or resolution shall so provide, the power to increase its indebtedness thereunder, to the extent so abandoned, shall thereupon cease and determine, and the part so abandoned shall no longer be treated as a part of its indebtedness for any purpose whatsoever. No such abandonment shall effect any increase of indebtedness theretofore made under said power.

Authority to increase indebtedness.

Abandonment of power.