

twenty-three, on the data and material available in the report filed with the Superintendent of Public Instruction on August first, one thousand nine hundred and twenty-two.] The true valuation of each school district for the two fiscal years beginning on June first, one thousand nine hundred and twenty-five, and ending May thirty-first, one thousand nine hundred and twenty-seven, and for each biennium thereafter, shall be determined during the month of October, one thousand nine hundred and twenty-four, and in the month of October of every second year hereafter. The State Council of Education is hereby given full power and authority to make such investigations, to take such action, and to institute such proceedings, as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations, and the decisions which such council reaches in such questions shall be final and conclusive.

When determination to be made.

Power to investigate.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 254

AN ACT

Empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation.

Section 1. Be it enacted, &c., That the word "bridge," as used in this act, shall mean any bridge whereon toll is charged, and, being a part of the route of a State highway, or connecting two State highways, or a State highway and a street in any city, borough, or town, and shall include the actual bridge, the approaches thereto, and all real and personal property, including the franchise, belonging to the owner or owners of such bridge and used in the operation and maintenance of the same.

Department of Highways.

Acquisition of toll bridges.

"Bridge" defined.

Section 2. The Secretary of Highways is hereby authorized to acquire, on behalf of the Commonwealth, toll bridges, as defined in this act, within the State of Pennsylvania: Provided, That no bridge shall be acquired under the provisions of this act, until road bond funds authorized by a Constitutional amendment shall become available to the Department of Highways for the improving and rebuilding of the highways of the Commonwealth.

Authority to acquire.

Proviso.

The acquisition of said toll bridges may be either by purchase or by condemnation proceedings, as the Secretary of Highways may deem expedient. The cost

Mode of acquisition.

Payment of cost.

Appropriation.	of acquiring said bridges shall be paid by the Commonwealth, from moneys in the Motor License Fund, and for such purposes the moneys in such Motor License Fund are hereby specifically appropriated.
Secretary to ascertain value and notify owner.	Section 3. The Secretary of Highways shall, whenever he determines to acquire any such bridge, ascertain or estimate the value thereof, and shall, in writing, give notice of such valuation to the owner or owners thereof. Such notice shall contain an offer to purchase such bridge at the valuation made by the Secretary of Highways.
Application to court of common pleas for appointment of viewers.	Section 4. In the event that the owner or owners of any such bridge refuse or neglect to accept such offer, application shall be made, by the Attorney General, or by the owner or owners of any such bridge, to the court of common pleas of the county in which such bridge is located, or, in the case of a bridge on the boundary line between two or more counties, then in any of such counties, for the appointment of viewers.
Appointment of viewers.	Whereupon said court or any law judge thereof shall appoint three discreet and disinterested freeholders to view such bridge and estimate the value thereof. None of said freeholders shall be a resident of the county wherein such application shall be made.
Time of meeting.	The said court shall fix a time, not less than twenty nor more than thirty days thereafter, when said viewers shall meet upon the property and view the same.
Notice to Attorney General and to owner.	The said viewers shall cause at least ten days' personal notice of the time and place of such first meeting to be given to the Attorney General and to the owner or owners of such bridge, if resident within said county. If said owner is a corporation, such notice shall be given to the president, secretary, or treasurer thereof, if such officer resides within said county. If neither said owner nor any of said officers reside within said county, or cannot be found therein, notice of such first meeting shall be given as said court may direct.
Duties of viewers.	Section 5. The said viewers, having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act, shall, at the time fixed for said first meeting, proceed to ascertain as accurately as may be the value of such bridge, and, to that end, may require the attendance of any person whose testimony may be pertinent thereto, and the production of any such books and papers as said viewers may deem necessary.
Testimony.	If any person shall refuse to appear and testify before such viewers, or refuse to produce such books and papers when thereto required, the said court, or any judge thereof, shall, upon application of said viewers or a quorum thereof, make such order therein as may be necessary.
Refusal to testify or to produce books or papers.	

Section 6. Whenever said viewers shall have ascertained the value of said bridge, they shall prepare a full report of their labors. Said report shall include a plan showing the location of said bridge. Upon the completion of said report the viewers shall fix a time when they shall meet and exhibit same. Ten days' written notice of the time and place of such meeting shall be given to the Secretary of Highways, to the Attorney General and to the owner or owners of said bridge. At the time and place mentioned in such notice, the said viewers shall meet and publicly exhibit said report and hear all exceptions thereto. After making any changes in such report as they may deem necessary the same shall be filed in said court.

Report of viewers.

Report to be exhibited.

Notice of time and place of meeting.

Filing.

Section 7. Within thirty days after the filing of said report in said court, the Commonwealth of Pennsylvania or any person interested may file exceptions thereto, whereupon said court may confirm said report absolutely, or modify it, or refer it back to the same or to new viewers with like powers and duties as the former viewers.

Exceptions to report.

Within thirty days after final action on said report by the court, the Commonwealth of Pennsylvania or any person interested may demand a trial by jury.

Demand for jury trial.

From the action of the court on exceptions, or from any judgment after a jury trial, an appeal may be taken by either party to the Supreme or Superior Court.

Appeal to Supreme or Superior Court.

Section 8. The cost of said condemnation proceedings, including the court costs, compensation of viewers, and the advertising herein required, shall be paid by the Commonwealth of Pennsylvania. Each of said viewers shall receive a sum not exceeding ten dollars (\$10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed.

Costs.

Pay of viewers.

Section 9. As soon as the Secretary of Highways and said owners shall have agreed upon the price of any such bridge, or as soon as the Secretary of Highways shall have determined to acquire any such bridge by condemnation proceedings, the Secretary of Highways, if funds sufficient for the purchase of the bridge are available, shall at once take possession of such bridge in the name of the Commonwealth of Pennsylvania.

Taking possession of bridge.

Section 10. Until the amount of such purchase price is paid to the owner or owners of such bridge, interest shall be paid thereon at the rate of six per centum. Interest at the same rate shall be paid on any award or verdict under condemnation proceedings, from the time of taking such bridge until the termination of such proceedings by final decree of said court, or of final decree on an appeal to the Supreme or Superior Court if any be taken.

Interest on purchase price.

Collection of tolls to continue.

Use of tolls for repairs and maintenance.

Disposition of tolls.

Bridge to become free when cost reimbursed.

Tolls may be charged to public service corporations.

Costs of maintenance.

Repeal.

Section 11. The Secretary of Highways, upon acquiring any such toll bridge, is hereby directed to continue the collection of tolls and charges on such bridge until the Commonwealth has been reimbursed to the full extent of the cost of acquiring such bridge with interest thereon at the rate of four per centum. The tolls and charges collected on any such bridge shall also be used for the repair and maintenance of said bridge, until such time as said bridge shall be freed as hereinafter provided. All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund.

Whenever the tolls collected shall have become sufficient to pay the cost of acquiring any such bridge with interest thereon as aforesaid, then such bridge shall become, and be thereafter, a free bridge, and such bridge shall thereafter remain in the charge and be under the control of the Department of Highways, and shall be thereafter maintained and kept in repair and be rebuilt, if destroyed, by the Commonwealth; but the Department of Highways may continue to charge tolls or require payments from public service corporations using any such bridge. The cost of such maintenance and repair of said bridge, after the same has been freed, shall be paid out of moneys appropriated to the Department of Highways for the construction, reconstruction, and improvement of State highways, and for such purposes, all moneys in the treasury of the Commonwealth appropriated for State highway purposes are hereby specifically reappropriated.

Section 12. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 255

AN ACT

To amend subsections fourth and fifth of section one of the act, approved the ninth day of July, one thousand nine hundred and one (Pamphlet Laws, six hundred and fourteen), entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," by permitting issuance of writs against foreign insurance companies, or other foreign corporations, out of any county of the Commonwealth of Pennsylvania, by a citizen or corporation of Pennsylvania, without regard to the place in which the insurance was effected, residence of the insured person at time of his death, the location of the insured property or the county in which the cause of action arose.

Process in action at law.

Section 1. Be it enacted, &c., That subsections fourth and fifth, of section one, of the act, approved