

- (1) Water rights;
- (2) Rights to maintain airway beacon lights;
- (3) Rights to maintain forest fire observation towers;
- (4) Rights to maintain radio stations and radio towers solely for National defense, law enforcement or flood forecasting purposes;
- (5) Rights to maintain ski runs or trails and essential towing equipment, but excluding rest houses, restaurants or hotels;
- (6) Rights to the Department of Highways to establish and maintain roadside rests;
- (7) Rights to any State or Federal agency to construct, maintain and operate water impoundments or storage for flood control or recreational use;
- (8) *Rights to erect, construct, maintain and operate antennas, towers, stations, cables and other devices and apparatus, helpful, necessary or required for broadcasting, telecasting, transmission, relaying or reception of television.*

Act effective immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 202

### AN ACT

To amend section 3 of the act, approved the seventh day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1841), entitled "An act fixing the fees or costs to be charged by aldermen, magistrates and justices of the peace, and imposing liability therefor upon the county in certain cases," by imposing liability for costs or fees on private prosecutors in certain cases; and requiring the delivery of transcript to the county commissioners within a certain limited period of time.

"Minor  
Judiciary Fee  
Bill."

Section 3, act of  
January 7,  
1952, P. L. 1341,  
amended.

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

Section 1. Section 3 of the act, approved the seventh day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1841), entitled "An act fixing the fees or costs to be charged by aldermen, magistrates and justices of the peace, and imposing liability therefor upon the county in certain cases," is hereby amended to read as follows:

Section 3. Payment of Summary \*Conviction Costs by County.—

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed, the costs or fees thereof shall be paid by the

\* "Convictions" in original.

county if the prosecutor is a police officer engaged as such in the employ of this Commonwealth or of any of its political subdivisions. In all other cases, the costs shall be paid by the prosecutor or by the defendant if so permitted by law.

(b) In every case of summary conviction in which the defendant is convicted and sentenced to jail in default of the payment of the fine and costs or fees imposed, the costs or fees of prosecution shall be paid by the county.

(c) In no case shall the county pay any such costs unless the transcript of the proceedings is delivered to the office of the county commissioners within thirty days after the hearing.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 203

AN ACT

To amend the title and the act, approved the third day of May, one thousand nine hundred thirty-three (Pamphlet Laws 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," by imposing costs on private prosecutors in certain cases; prohibiting payment by counties; and requiring the delivery of transcript to the county commissioners within a certain limited period of time.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Costs.

Section 1. The title and sections 1 and 2 of the act, approved the third day of May, one thousand nine hundred thirty-three (Pamphlet Laws 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," are hereby amended to read as follows:

Title and sections  
1 and 2, act of  
May 3, 1933,  
P. L. 242,  
amended.

An Act

Amended title.

Prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen [unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof] in certain cases, and imposing costs on private prosecutors.