

No. 91

AN ACT

Amending the act of June sixteen, one thousand eight hundred thirty-six (Pamphlet Laws 715), entitled "An act relating to Reference and Arbitration," further providing for membership of arbitration boards.

Arbitration.

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

Section 8.1, act of June 16, 1836, P. L. 715, as added January 14, 1952, P. L. 2087, further amended.

Section 1. Section 8.1, act of June sixteen, one thousand eight hundred thirty-six (Pamphlet Laws 715), entitled "An act relating to Reference and Arbitration," added January fourteen, one thousand nine hundred fifty-two (Pamphlet Laws 2087), is amended to read:

Procedure where case at issue.

Section 8.1. The several courts of common pleas may, by rules of court, provide that all cases which are at issue where the amount in controversy shall be one thousand dollars (\$1000) or less, except those involving title to real estate, shall first be submitted to and heard by a board of three (3) members of the bar [of the county for consideration and award] *within the judicial district*. Cases which are not at issue and whether or not suit has been filed may be referred to the board of arbitration by agreement of reference signed by counsel for \* both sides in the case. Said agreement of reference shall define the issues involved for determination by the board and, when agreeable, shall also contain stipulations with respect to facts submitted or agreed or defenses waived. In such cases, the agreement of reference shall take the place of the pleadings in the case and be filed of record.

Procedure where case not at issue.

Agreement of reference.

Section 13, act of June 16, 1836, P. L. 715, as amended January 14, 1952, P. L. 2087, further amended.

Section 2. Section 13 of said act as amended January fourteen, one thousand nine hundred fifty-two (Pamphlet Laws 2087), is further amended to read:

Method of choosing arbitrators.

Section 13. On the day fixed for the appointment of arbitrators, if both parties attend, either in person, or by their agents or attorneys, the arbitrators shall be chosen in the following manner, viz;

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Appointment of board of arbitrators.

VII. In all cases under Section 8.1 hereof, a board of arbitrators consisting of three members of the bar [of the court in which such case is pending] *within the judicial district* shall be appointed by the prothonotary from the list of attorneys qualified to act. The names of attorneys from said list shall be taken *in the manner prescribed by the rules of the court in which the case is pending or in the absence of such rules in alphabetical*

\*"the board of arbitration by agreement of reference signed by counsel for", repeated in original.

order, except where attorneys are excused on account of incapacity or illness. Not more than one member of a firm or association of attorneys shall be appointed to the same board. The first member named shall be chairman of the board.

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Section 3. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 22nd day of July, A. D. 1955.

GEORGE M. LEADER

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No. 92

AN ACT

Amending the act of June twenty-two, one thousand nine hundred thirty-one (Pamphlet Laws 880), entitled "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," increasing the amount of contracts requiring material and labor bonds.

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

Municipal contracts.

Section 1. Section two, act of June twenty-two, one thousand nine hundred thirty-one (Pamphlet Laws 880), entitled "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," is amended to read:

Section 2, act of June 22, 1931, P. L. 880, amended.

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 munic-

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