

No. 475

AN ACT

To ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Counties of the third class.

Section 1. Fees.—The fees to be received by the prothonotary of the court of common pleas of this Commonwealth in counties of the third class shall be as follows: Prothonotary fees.

APPEALS

Appeal from the court of common pleas to the Supreme or Superior Court \$20.00

ACKNOWLEDGMENTS

Acknowledgment of sheriff, treasurer or Tax Claim Bureau deeds when not paid by the county or chargeable thereto \$2.00

ASSIGNMENTS

Assignment, filing \$3.00

BUILDING AGREEMENTS

Filing of any building agreement, waiver, stipulation \$10.00

CERTIFICATION

Certifying copy of any paper:
 First page \$3.00
 Additional pages, each \$1.00
 Certification of notary public, justice of peace or similar paper \$1.00

CHARTERS

Filing charter, petition for change of corporate name or alteration or amendment of charter for merger \$15.00

COMMENCEMENT OF ACTIONS

Commencement of any action at law or equity, regardless of procedure, a fee of not less than \$5.00 or more than \$40.00 shall be fixed by the prothonotary of each court of common pleas, on or before March 1 of each year, to apply to fees charged during the ensuing twelve months, and, when added to all other fees charged, shall

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bear a reasonable relationship to the sum sufficient to maintain and operate the office of the prothonotary. After an action has been commenced, no other fees shall be payable except as herein otherwise specifically provided. The fee fixed shall be the same and apply to all actions without variation.

EXECUTIONS

Filing of any praecipe for a writ of execution, including attachment, possession or any other writ of execution not herein specifically provided for, and all services incident thereto \$10.00

JUDGMENTS

Entry of any judgment or decree, which is final, whether by agreement, confession, demurrer, non pros, or preliminary objection or motion on verdict or award, by court order, finding, opinion, default, transcript, copy of docket entries, ex-record, certified copy of nonpayment of inheritance tax, certified copy from quarter sessions, including all services \$8.00

LIENS

Filing any lien: municipal, mechanics, Federal, Commonwealth, certified copy of lien \$5.00

NOTARY PUBLIC

Registration of signature of notary public \$1.00

RECORDING

Filing any paper, report, account or document required by law to be recorded, not otherwise provided for or included herein \$5.00

REVIVALS

Including in every instance any entry of judgment:

- (1) Continuing any lien not reduced to judgment \$2.00
- (2) Reviving the lien of any judgment by amicable proceedings \$5.00
- (3) Reviving the lien of any judgment by adverse proceedings \$10.00

SUBPOENA

Each \$1.00

SEARCHES

Search of any record or index, including certification:

Five years	\$3.00
Each reference	\$1.00

SATISFACTIONS

Entering satisfactions, releases, postponements, assignments, subordinations, of all encumbrances or liens by power of attorney or otherwise; or settlement, discontinued ending or termination of any civil action at law or in equity \$3.00

Section 2. Definitions.—As used in this act—

(1) Filing shall mean and include docketing, entering, indexing and filing.

(2) A counterclaim is not to be considered as commencing a new action.

(3) Procedures involved in joinder of additional defendants shall be considered as part of the original action and not subject to separate charge.

(4) Garnishment proceedings shall not be considered as commencement of a new action but shall be considered part of execution.

(5) Sci. fa. proceedings on any lien other than revival, shall be interpreted as commencement of new action.

(6) Certification of any papers, or giving of any memorandum of filing may be included in the services herein enumerated and rendered.

(7) Any action or proceeding to strike off, or open, any judgment shall be considered as commencement of an action.

Section 3. Similar Services; Payment in Advance; State Tax.—(a) The fees for services not herein specifically provided for or included in any other service shall be the same as for similar services.

(b) The prothonotary shall not be required to enter on docket any suit or action or order of court or enter any judgment thereon or perform any services whatsoever until the requisite fee is paid.

(c) The fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied.

Section 4. Charges to County.—In lieu of separate charges to the county for services rendered to it, the prothonotary shall make a charge, monthly, of ten per cent of the sum paid to the county treasurer in that month, and shall enter the same as a sum earned and paid.

Section 5. No Separate Charges.—There shall be no separate charges for printing, forms, postage or similar services.

Section 6. Actions Commenced Prior to Effective Date of this Act.—For the purpose of this act, all actions commenced prior to the effective date of this act shall be presumed to have been commenced on the effective date of the act, but the prothonotary may charge an additional fee in such actions wherein no other paper has been filed other than a summons or complaint so long as the total is not in excess of the fee provided herein.

Section 7. Repeals.—The act of December 8, 1959 (P. L. 1728), entitled “An act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts,” is repealed.

Section 8. Effective Date.—This act shall take effect on January 1, 1962, as to any county that becomes a third class county on or before January 1, 1962, and as to all other third class counties it shall take effect March 1, 1962.

APPROVED—The 22nd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 476

AN ACT

Amending the act of May 22, 1945 (P. L. 849), entitled “An act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing co-operation with other departments and agencies and reciprocal agreements with other states; requiring cooperation with the Federal government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational *rehabilitation and prescribing penalties,” authorizing certain benefits and services for persons injured by accidents incurred in the course of their employment or disabled by occupational disease.

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

Section 1. The act of May 22, 1945 (P. L. 849), known as the “Vocational Rehabilitation Act of one thousand nine hundred forty-five,” is amended by adding, after section 7, a new section to read:

Vocational Rehabilitation Act of one thousand nine hundred forty-five.

Act of May 22, 1945, P. L. 849, amended by adding a new section 7.1.

* “re-rehabilitation” in original.