

Costs and fees.

Section 11. All costs and witness fees in any such case shall be paid by the Commonwealth out of any funds appropriated for the use of the commission: Provided, That in cases where an appeal is taken by any property owner from the award made by any board of viewers and appellant does not recover a verdict for a greater amount than the viewers awarded, the appellant shall pay all costs of such appeal and trial.

Proviso.

Report of commission.

Section 12. The commission shall make a report of its work to the General Assembly not later than the first day of February, one thousand nine hundred and twenty-seven.

Expenses of commission.

Section 13. The members of the commission shall serve without compensation, but shall be entitled to receive traveling, hotel, and other expenses actually incurred in the performance of their duties.

Repeal.

Section 14. All acts and parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 14th day of May, A. D. 1925.

While I am convinced that a legislative commission is not the proper authority to select a site for a penitentiary, and while the attitude of the Philadelphia organization threatened that politics would be played with this important measure, I am approving it for the two following reasons:

First, because I believe that the publicity given to the threatened abuse of the commission's power for political purposes will be sufficient to prevent such abuse; and

Second, because of the pressing public necessity for proceeding as rapidly as possible to provide for a new and modern Eastern Penitentiary to replace the antiquated and unsuitable structure at Cherry Hill.

If the item of \$1,000,000 carried in the Budget for a new Eastern Penitentiary had been approved by the Legislature it would have been possible not only to acquire the land but to begin the construction of a new institution during the present biennium. The wording of the present appropriation excludes the possibility of beginning construction under it. Accordingly, I have approved this item in the General Appropriation Bill for \$300,000, an amount abundantly sufficient to acquire a suitable site.

GIFFORD PINCHOT.

No. 397.

AN ACT

Making an appropriation to the commission for the acquisition of the various toll-bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey, for the acquisition and maintenance of toll-bridges.

Delaware River toll-bridges.

Appropriation.

Section 1. Be it enacted, &c., That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby specifically appropriated to the commission of the Commonwealth of Pennsylvania created under the provisions of the act, ap-

proved the twenty-sixth day of February, one thousand nine hundred and twenty-five, entitled "An act to amend section two of the act, approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred and forty-eight), entitled 'An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River,' as amended," to act in conjunction with a similar commission of the State of New Jersey as a joint commission for the acquisition of the various toll-bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey, for the purpose of acquiring additional toll-bridges and maintaining such toll-bridges as have already been acquired or may hereafter be acquired under the provisions of the act, approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred and forty-eight), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River."

The amount herein appropriated shall be available until the purposes for which appropriated have been accomplished, and shall not be held or construed to have lapsed for the reason that the same was not used within a specified time after the passage of this act.

Availability.

APPROVED—The 14th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 398.

AN ACT

Fixing the salary of the clerks of the courts of common pleas in counties of the first class.

Section 1. Be it enacted, &c., That the salary of the assistants appointed by the prothonotary of the court of common pleas of counties of the first class, which assistants are designated and known as court clerks, shall be five thousand dollars per annum, payable in equal monthly installments from the county treasury.

Counties of the first class.

Salaries of court clerks.