

the same, by the exercise of the power of eminent domain; providing for the determination by the Public Service Commission, subject to appeal, of the amount of compensation to be paid for the properties and franchises taken; and empowering such city to operate, maintain, use, lease, license, or contract for the operation of the facilities so acquired," and all other acts or parts of acts inconsistent herewith or supplied hereby be and the same are hereby repealed.

Other inconsistent acts repealed.

APPROVED—The 3d day of May, A. D. 1927.

JOHN S. FISHER

No. 331

AN ACT

Granting additional equity powers to courts of common pleas to prevent, restrain, and abate encroachments on public sidewalks in front of residences, churches, hotels, apartment houses, or retail stores contrary to law.

Section 1. Be it enacted, &c., That the courts of common pleas of the several counties of this Commonwealth, in addition to the powers and jurisdictions heretofore possessed and exercised, shall have the jurisdiction and powers of a court of chancery, so far as relates to the prevention, restraint, and abatement of encroachments on public sidewalks in front of residences, churches, hotels, apartment houses, or retail stores contrary to law and prejudicial to the interests of the community, upon the complaint of any municipality, or any citizen thereof, alleging injury thereby, without regard to whether or not such citizen has suffered damage or injury which is special to himself, where the said municipality has failed or refused to institute action for the prevention or restraint of such encroachments in front of residences, churches, hotels, apartment houses, or retail stores contrary to law, within thirty days after written notice thereof to such municipality by or on behalf of such citizen.

Court of common pleas.

Additional equity powers to abate encroachments on public sidewalks.

Complaint of municipality or a citizen.

Section 2. That where any municipality has heretofore proceeded by suit for the prevention, restraint, and abatement of encroachments on public sidewalks contrary to law, and an injunction or restraining order has been made and entered by the court of common pleas of the proper county, and said municipality has failed or refused to take appropriate action to enforce the same, it shall and may be lawful for any citizen of such municipality alleging injury thereby, without regard to whether or not such citizen has suffered damage or injury which is special to himself, to present his petition to said court, setting forth the facts, and praying for

Enforcement of injunction on application of a citizen.

Petition.

Order allowing petitioner to intervene.

Proviso.

Appeals.

Repeal.

leave to intervene as a party plaintiff in said suit; whereupon said court shall fix a date for hearing upon said petition and requiring notice thereof to be given to said municipality. And it shall and may be lawful for said court, after hearing, being satisfied of the truth of the matters alleged in said petition, to make and enter an order allowing said petitioner to intervene as a party plaintiff in said suit and to prosecute the same in all respects as if he had originally been a party plaintiff thereon: Provided, however, That no such petition shall be presented to said court, until the expiration of thirty days' written notice to said municipality, by or on behalf of such citizen, to take the necessary steps to enforce said injunction or restraining order, and failure on the part of said municipality to comply with the notice aforesaid.

Section 3. That an appeal may be taken to the Superior or Supreme Court from the final decrees of the said courts, in the same manner and upon the same terms and conditions as now allowed by law in suits and proceedings in equity.

Section 4. All acts or parts of acts inconsistent with this act are repealed.

APPROVED—The 3d day of May, A. D. 1927

JOHN S. FISHER

No. 332

AN ACT

Fixing the salaries of the county controller, recorder of deeds and clerk of courts in counties of the third class.

Counties of third class.
Salaries of county controller, recorder of deeds and clerk of courts.

Repeal.

Section 1. Be it enacted, &c., That the salary of the county controller, the recorder of deeds and the clerk of courts, in counties of the third class, shall be five thousand dollars per annum.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 3d day of May, A. D. 1927

JOHN S. FISHER

No. 333

AN ACT

To amend section one of an act, entitled "An act authorizing the sale, assignment, disposition, transfer, and conveyance of the franchises and of the property, real, personal, and mixed, of any water or power water companies organized prior to the first day of April, one thousand nine hundred and five, to another water or water power company, also organized prior to the first day of April, one thousand nine hundred and five; and providing the manner in which said sale and purchase