

Section 875, act
of May 2, 1929
(P. L. 1278),
amended.

eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

Section 875. Annual Tax.—The commissioners, or a majority of them, may levy, assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within said county, now or hereafter taxable for county purposes, for the purpose of acquiring and securing a fund from which to pay all costs, damages and expenses required in locating, opening, building, improving, widening, straightening, extending, maintaining, repairing or vacating of the roads and highways or parts thereof covered by the provisions of subdivision (a), 1, of this article, and for the taking, using and enjoying of such land as may be necessary in constructing and maintaining proper slopes, embankments, fills and culverts. The moneys so raised shall not be used or expended for any other purposes than that named in this section, *except for the maintenance, repair, construction and reconstruction of any county bridge or bridges whether or not located on a county road or roads.* All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued by the commissioners, or a majority of them, in the manner now provided by law in the several counties, upon estimates which shall be made from time to time by the persons charged with such duty. The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work. [herein authorized.]

APPROVED—The 23d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 195

AN ACT

To amend section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes: and revising, amending and consolidating the laws relating thereto," providing how executions on judgments against counties may be issued, the procedure thereon; authorizing the court to direct the levy of a tax to satisfy such judgments; and fixing the rate of interest which such judgments shall bear.

The General
County Law.

Section 1034,
act of May
2, 1929 (P. L.
1278),
amended.

Section 1. Be it enacted, &c., That section one thousand thirty-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third,

fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

Section 1034. Execution Against County.—(a) If judgment shall be obtained against a county in any action or proceeding, the party entitled to the benefit of such judgment may have execution thereof as follows, and not otherwise, namely: [It shall be lawful for the] *The court [in which such] of common pleas of the county against which judgment shall be obtained or the court to which [such] a judgment may [be] have been removed by transcript from a justice of the peace or alderman, [to issue thereon a writ] on application of the party entitled to the benefit of such judgment, may direct the issue of a writ thereon, commanding the commissioners of the county to cause the amount [thereof] of the judgment, with the interest and costs, to be paid to the party entitled [to the benefit of such judgment] out of any moneys [unappropriated of such] of the said county which are not appropriated or pledged for any specific purpose and which are not required to meet the current operating expenses of the county during the then fiscal year, and, [or] if there be no such moneys, then out of the first moneys [that shall be received for the use of such county, and to enforce obedience to such writ by attachment.] coming into the hands of its treasurer and which have not been appropriated or pledged to any specific purpose and are not required to meet the current operating expenses of the county during the fiscal year in which such writ issued: Provided, That if such judgment shall have been recovered on an obligation secured by a sinking fund, payment thereof may be directed out of any moneys in the sinking fund.*

(b) *If such judgment be not paid by the commissioners as directed by such writ, they shall, within fifteen days after service thereof, make answer, showing the reasons for not having made payment as commanded.*

(c) *If it appear from said answer that the county does not have moneys not appropriated or pledged for specific purposes and not required for current operating expenses with which to pay said judgment, and that it will not, during the then fiscal year, have sufficient funds not appropriated or pledged for specific purposes and not required to meet current operating expenses to enable the payment of such judgment or judgments, the court, after hearing, shall direct the levy of a tax, to be levied and collected during the succeeding fiscal year or years, sufficient to pay such judgment or judgments.*

(d) *In directing the levy of such tax, the court shall take into consideration the number of judgments against the county and the writs issued, and shall have power to decide during how many years the tax shall be levied; but it shall not direct the levy of a tax for any one year*

in excess of one-half of one per centum of the assessed valuation of the taxable property of the county.

(e) The taxes thus directed to be levied shall be levied by the commissioners at the same time the next levy for general county purposes is made, and shall be levied and collected as other taxes are by law levied and collected but shall be listed in the duplicates as a separate tax, and shall be kept distinct from all other of the county's funds and applied in payment of the judgment or judgments for which collection is directed as from time to time received; but one levy may be made for the satisfaction of more than one judgment, and the fund shall be applied to the satisfaction of the judgments in the order in which the writs were issued.

(f) The court shall have power to enforce by attachment, or otherwise, all orders and decrees entered in pursuance of the powers hereby granted.

(g) All judgments, and unpaid parts thereof, shall bear interest at the rate of six per centum per annum, but not compounded.

APPROVED—The 23d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 196

A SUPPLEMENT

To the act, approved the third day of April, one thousand nine hundred and three (Pamphlet Laws, one hundred thirty-seven), entitled "An act regulating the confinement of children, under the age of sixteen years, awaiting trial"; providing for the management of houses of detention for juveniles in counties of the second class; imposing expense in connection therewith on the county; and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands or erecting, constructing and equipping of buildings for such purpose.

Counties of
second class.

Management of
houses for deten-
tion of juveniles.

Board of
managers.

Section 1. Be it enacted, &c., That in counties of the second class, the management of houses for the detention and reception of juveniles, under the age of sixteen years, awaiting trial, hearing or judicial investigation, heretofore or hereafter established under the act to which this is a supplement, or its amendment, or under the provision of any other law of the Commonwealth, shall be in a board of managers, consisting of six citizens of the county, at least two of whom shall be women, appointed by the judges of the court of common pleas of such counties. The members of the board or boards of managers existing in counties of the second class on the date this act goes into effect shall remain as members of the board or boards of managers created herein until the expiration of the terms to which they were, respectively, appointed. Within sixty days after this act takes effect,