

limiting the right of the said authority to file, preserve or maintain the lien of the said claim.

Does not apply to assessments which are the sole basis of improvement bonds already issued.

Section 7. The provisions of this act shall not apply to or in any manner affect any assessments which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof, or to any assessments which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied.

Constitutional provision.

Section 8. The provisions of this act are severable, and if any of the provisions hereof are held to be unconstitutional, the decision shall not be construed to impair any other provision of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Inconsistent acts repealed.

Section 9. All acts and parts of acts, general, local and special, inconsistent with the provisions of this act are hereby suspended during the time this act shall be in effect.

When effective.

Section 10. This act shall become effective immediately upon final enactment.

APPROVED—The 14th day of April, A. D. 1937.

GEORGE H. EARLE

No. 85

AN ACT

To amend section one of Article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," as amended, further regulating the giving of contracts relating to city affairs.

Cities of the second class.

Section 1 of Article 15, act of March 7, 1901 (P. L. 20), as amended in part by section 2, act of May 11, 1911 (P. L. 238), further amended.

Section 1. Be it enacted, &c., That section one of Article fifteen of the act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," as amended in part by section two of the act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred thirty-eight), is hereby further amended to read as follows:

ARTICLE XV

Contracts to be let to lowest responsible bidder.

Section 1. All contracts relating to city affairs shall be let to the lowest responsible bidder, after reasonable notice. When the contract exceeds five hundred dollars, such notice shall be by advertisement; when less than

that amount, or when purchased at public sale, advertisement may be dispensed with. Every contract shall be let by the mayor and head of the proper department. All bids shall be filed with the city controller, and shall be opened publicly by the mayor and head of the proper department, or either of them, at a time and place to be designated in the advertisement or notice to bidders, and the figures stated to those present. No contract shall be let until councils have passed an ordinance providing for the letting of the same by the mayor and head of the proper department.

All contracts shall be in writing, signed and executed in the name of the city by the [city recorder] mayor and head of the proper department. No contracts shall be entered into or executed directly by the councils or any committee thereof.

Contracts must be in writing.

All contracts shall be countersigned by the controller, and filed and registered by number, date and contents in the [city recorder's] mayor's office, and attested copies furnished to the controller and the department charged with the work.

Contracts shall be filed in the mayor's office.

Every contract for public improvements shall be based upon estimate of the whole cost, furnished by the proper officer through the department having charge of the improvement, and no bid in excess of such estimate shall be accepted. Every such contract shall contain a clause that it is subject to the provisions of this act, and the liability of the city thereon shall be limited by the amounts which shall have been or may be, from time to time, appropriated for the same. In each and every instance where a contract is let to any person, firm, company or corporation, by any city of the second class, or any officer, officers or departments of such city, for any work, material, supplies, construction or excavation, of any kind, the person, firm, company or corporation shall give bond to the city to the amount of fifty per centum of the estimated cost, with security to be approved by the [city recorder] mayor: *Provided, That where a long term service contract, covering a period of two years or more, is let to any person, firm, company or corporation, then the person, firm, company or corporation shall give bond to the amount of fifty per centum of the estimated cost for the first year, and shall thereafter, during the life of the contract, keep in effect bond in the amount of fifty per centum of the fixed or estimated yearly cost. The bond for the second and subsequent year or years shall be given at least sixty days prior to the beginning of the contract year to which it is applicable.*

Contracts for public improvements shall be based upon an estimate of the whole cost.

Successful bidder to put up bond.

Proviso.

No contract for work to be done for, or property or materials to be sold or supplied to the city, or any department thereof, shall be made with any councilman, officer or employe of such city, or with any firm, co-

Contracts not to be made with city officers or employes.

Newspaper
publication.

partnership or association of which such councilman, officer or employe is a member; and if any councilman, officer or employe, during the term for which he shall have been elected or appointed, knowingly acquires an interest in any such contract he shall forfeit his office. At the expiration of present contract, and every three years thereafter, the [city recorder] *mayor* of each of the cities of the second class shall contract for a term of three years, with [not less than three nor more than five] *two* daily newspapers [one of which shall be a daily newspaper printed in the German language] published within the county in which such city of the second class is situated, for the publication of all official advertising, the cost of which is payable out of the municipal treasury; which said official advertising shall include all ordinances of councils, [city recorder's] *mayor's* proclamations, all official reports of the city officers, all notices for opening, widening, straightening, grading, paving and curbing, and vacation of streets, lanes and alleys, and the construction of sewers, including all viewers' reports and proposals for public work and supplies; such contracts to be let to the lowest bidder, agate measure, per line, for each thousand of circulation, the basis of the circulation to be the average daily sales (exclusive of Sunday, weekly, semi-weekly and tri-weekly issues, and also exclusive of all credits for returned or unsold newspapers, and newspapers distributed free of charge), of such newspaper for the six months next preceding the month in which such advertising may be published.

When effective.

Section 2. This act shall become effective immediately upon its final enactment.

APPROVED—The 14th day of April, A. D. 1937.

GEORGE H. EARLE

No. 86

AN ACT

To amend section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," making Sunday fishing with rods and lines lawful under certain circumstances.

Fishing Law.

Section 265, act
of May 2, 1925
(P. L. 448),
amended.

Section 1. Be it enacted, &c., That section two hundred sixty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, con-