

Agreement to define issues, contain stipulations on facts and defenses waived.

Said agreement of reference becomes the pleadings.

Limitation of time on reference.

Non-suit.

Power reserved to court to set aside an award on proof of misbehaviour or corruption.

Effective date.

Cities of second class.

Clause XLIII., section 3, article XIX., act of March 7, 1901; P. L. 20, amended.

involved for determination by the board and, when agreeable, shall also contain stipulations with respect to facts submitted or agreed or defenses waived. In such cases, the agreement of reference shall take the place of the pleadings in the case and be filed of record.

Section 10. No suit or action which shall be set down for trial at any court of common pleas, *the County Court of Allegheny County* or the Municipal Court of Philadelphia, shall be referred (except by consent of parties) within thirty days before, nor during the sitting of such court, unless such suit or action shall have been previously continued to the next term.

Section 25. The several courts of common pleas, *the County Court of Allegheny County* and the Municipal Court of Philadelphia may, after appeal, allow the plaintiff to suffer a non-suit, with like effect as if the cause had not been referred, as aforesaid, if the special circumstances of the case shall appear to require it.

Section 26. It shall be lawful for the several courts of common pleas, *the County Court of Allegheny County* and the Municipal Court of Philadelphia to set aside an award of arbitrators, on due proof—

I. That the arbitrators misbehaved themselves in the course of the hearings before them.

II. That the award was procured by corruption, or other undue means.

Section 2. This act shall take effect when funds necessary to carry out its provisions are initially appropriated for such purpose by the County Commissioners of Allegheny County.

APPROVED—The 24th day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 104

AN ACT

Amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," increasing the maximum penalties which may be enforced.

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

Section 1. Clause XLIII., section 3, article XIX., act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," is amended to read:

ARTICLE XIX.

CORPORATE POWERS

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Section 3. Every city of the second class, in its corporate capacity, is authorized and empowered to enact ordinances for the following purposes, in addition to the other powers granted by this act:

Ordinances.

* * * * *

XLIII. To make all such ordinances, by-laws, rules and regulations, not inconsistent with the Constitution and laws of this Commonwealth, as may be expedient or necessary, in addition to the special powers in this section granted, for the proper management, care and control of the city and its finances, and the maintenance of the peace, good government and welfare of the city, and its trade, commerce and manufactures, and the same to alter, modify and repeal at pleasure; and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for the violation thereof, not exceeding [one hundred dollars] *three hundred dollars (\$300)* for any one *offense, recoverable with costs, together with judgment of imprisonment, not exceeding [thirty] *ninety* days, if the amount of said judgment and costs shall not be paid.

To make all such ordinances, regulations, etc., as may be necessary.

To enforce the same.

Penalty.

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APPROVED—The 24th day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 105

AN ACT

Amending the act of July 25, 1953 (P. L. 564), entitled "An act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital or capital of domestic corporations, banks and trust companies, and certain partnerships; providing for the computation, payment, assessment, settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships," changing the due date so that the tax may be paid at any time prior to the actual issuance of the capital stock.

* "offense" in original.