

No. 6

AN ACT

SB 282

Amending the act of July 31, 1970 (P.L. 673), entitled "An act relating to the jurisdiction and powers of the Supreme, Superior and Commonwealth courts," further providing for appeals in inheritance and estate tax matters and specifically repealing certain acts and parts of acts inconsistent with existing law.

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

Section 1. Clause (1) of section 403 and subsection (a) of section 509, act of July 31, 1970 (P.L. 673), known as the "Appellate Court Jurisdiction Act of 1970," are amended to read:

Section 403. Direct Appeals from Administrative Agencies.—The Commonwealth Court shall have exclusive jurisdiction of appeals from final orders of administrative agencies in any of the following cases:

(1) All appeals from administrative agencies of the Commonwealth under the Administrative Agency Law or otherwise and including appeals from the Pennsylvania Public Utility Commission, the Unemployment Compensation Board of Review and from any department, departmental administrative board or commission, independent board or commission or other agency or administrative officer of this Commonwealth having statewide jurisdiction except:

(i) matters relating to the privilege of operating motor vehicles or tractors, including the revocation or suspension of such privilege and matters relating thereto; **[and]**

(ii) matters authorized by the Liquor Code to be appealed to the courts of common pleas; **[and]**

(iii) matters authorized by The Pennsylvania Workmen's Compensation Act or The Pennsylvania Occupational Disease Act to be appealed to the courts of common pleas; *and*

(iv) *matters authorized by the Inheritance and Estate Tax Act of 1961 or by any predecessor act to be appealed to the courts of common pleas.*

* * *

Section 509. Repeals and Savings Provisions.—(a) The following acts and parts of acts are hereby repealed absolutely:

(1) Sections 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 9, 10, 13 and 14, act of June 24, 1895 (P.L.212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments."

(2) Section 4, act of May 19, 1897 (P.L.67), entitled "An act regulating

the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court.”

(3) Act of March 2, 1923 (P.L.3), entitled “An act enlarging the jurisdiction of the Superior Court of Pennsylvania by providing for appeals to it from certain orders, judgments, and sentences of the County Court of Allegheny County, of the Municipal Court of Philadelphia, and of all similar courts hereafter created.”

(4) The first sentence of section 42 and all of section 45, act of June 4, 1945 (P.L.1388), known as the “Administrative Agency Law.”

(5) [Second and third sentences of section 1, act] Act of December 2, 1968 (Act No. 351), entitled “An act implementing the provisions of section 9 of Article V of the Constitution of the Commonwealth of Pennsylvania by providing for a right of appeal in all cases from courts of record not otherwise provided for.”

(6) Section 9, act of December 2, 1968 (Act No. 353), known as the “Local Agency Law.”

(7) Subsections (a), (b), (c), (d), (e) and (f) of section 8 and sections 9 and 10, act of January 6, 1970 (P.L.434), known as “The Commonwealth Court Act.”

(8) *Section 5, act of April 14, 1828 (P.L.453), entitled “An act to prevent the failure of trusts, to provide for the settlement of accounts of trustees and for other purposes.”*

(9) *Section 2, act of March 23, 1829 (P.L.93), entitled “An act relative to the opening of roads in the county of Philadelphia.”*

(10) *Section 43, act of June 13, 1836 (P.L.606), entitled “An act relating to Domestic Attachments.”*

(11) *Sections 1 and 16, act of June 14, 1836 (P.L.621), entitled “An act relating to units Quo Warranto and Mandamus.”*

(12) *Section 36, act of June 14, 1836 (P.L.628), entitled “An act relating to assignees for the benefit of creditors, and other trustees,” except as much of said section as reads as follows: “In all cases, the party appealing shall first give security, in such sum as the said court of Common Pleas shall direct, conditioned to prosecute such appeal with effect, and shall also make oath or affirmation, that such appeal is not intended for delay.”*

(13) *Section 89, act of June 16, 1836 (P.L.755), entitled “An act relating to executions.”*

(14) *Section 10, act of June 16, 1836 (P.L.784), entitled “An act relating to the jurisdictions and powers of courts.”*

(15) *Section 3, act of April 21, 1846 (P.L.432), entitled “An act in relation to certain public officers and their sureties.”*

(16) *Section 25, act of April 25, 1850 (P.L.569), entitled “An act relating to the bail of executrixes; to partition in the orphans’ court and common pleas; to colored convicts in Philadelphia; to the limitation of actions against corporations; to actions enforcing the payment of*

ground rent; to trustees of married women; to appeals from awards of arbitrators by corporations; to hawkers and peddlers in the counties of Butler and Union; to the payment of costs in actions by informers in certain cases; to taxing lands situate in different townships; and in relation to fees of county treasurers of Lycoming, Clinton and Schuylkill; to provide for recording the accounts of executors, administrators, guardians and auditors' reports; and to amend and alter existing laws relative to the administration of justice in this commonwealth."

(17) *Section 2, act of March 17, 1853 (P.L.685), entitled "A supplement to an act further to regulate Proceedings¹ in Courts of Justices, and for other purposes."*

(18) *Section 2, act of April 22, 1856 (P.L.502), entitled "An act to extend the equity jurisdiction of the Courts of Common Pleas in certain cases."*

(19) *Section 33, act of March 31, 1860 (P.L.427), entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings."*

(20) *As much of section 1 as reads as follows: "subject, however, to the same rules and regulations, in regard to writs of error from the supreme court," act of April 22, 1863 (P.L.554), entitled "An act granting certain additional powers to the courts of common pleas in the several counties of this commonwealth."*

(21) *Second proviso relating to appeals of section 1, act of April 1, 1870 (P.L.45), entitled "An act to authorize and direct the Attorney General, upon complaint made by parties whose interests are thereby affected, to institute proceedings, according to law, against corporations alleged to have violated duties imposed upon them by law."*

(22) *Section 2, act of April 4, 1872 (P.L.46), entitled "An act for the appointment of a receiver in cases where corporations have been dissolved by judgment of ouster, upon proceedings of quo warranto."*

(23) *As much of the last sentence of section 2 as reads as follows: "to the Supreme or Superior Court, such appeal to be taken in the time and manner and with the effect prescribed by law" and all of section 3, act of April 22, 1874 (P.L.109), entitled "An act to provide for the submission of civil cases to the decision of the court, and to dispense with trial by jury."*

(24) *Section 4, act of May 14, 1874 (P.L.166), entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law."*

(25) *As much of section 1 as reads as follows: "and in case the said court in banc shall refuse to set aside the non-suit, the plaintiff may remove the record by writ of error into the supreme court for revision*

¹"and" in original.

and review, in like manner and with like effect as he might remove a judgment rendered against him upon a demurrer to evidence," act of March 11, 1875 (P.L.6), entitled "An act to authorize the entering of compulsory non-suits."

(26) As much of the last sentence of section 12 as reads as follows: "as in cases of equity, to the Supreme Court," act of May 29, 1885 (P.L.29), entitled "An act to provide for the incorporation and regulation of natural gas companies."

(27) As much of the third sentence as reads as follows: "to the Superior Court or to the Supreme Court, as the case may be" and all of the penultimate sentence of section 6, act of May 16, 1891 (P.L.75), entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom."

(28) As much of section 1 as reads as follows: "to the Supreme Court of this Commonwealth and such cause shall thereupon be heard, reviewed and decided upon such appeal by the Supreme Court, in like manner as appeals from final decrees to the said Supreme Court" and section 2, act of May 20, 1891 (P.L.101), entitled "An act relating to appeals to the Supreme Court and prescribing the powers thereof on appeals."

(29) As much of the¹ second sentence of section 4 as reads as follows: "to the Supreme Court," act of May 26, 1893 (P.L.139), entitled "An act authorizing cities of the Commonwealth of Pennsylvania to enter upon, take, use and appropriate private property for the construction of piers, abutments, fills, slopes and approaches for bridges crossing rivers within the corporate limits thereof, and providing the manner in which compensation shall be made."

(30) As much of the² second sentence of section 4 as reads as follows: "to the Supreme Court," act of May 26, 1893 (P.L.154), entitled "An act authorizing cities of the Commonwealth of Pennsylvania to purchase, maintain, use and condemn, bridges erected and in use over rivers and streams separating or dividing any part or district of such cities, and providing the manner in which compensation shall be made."

(31) As much of section 3 as reads as follows: "said decision to be subject to review by the Supreme Court, in the same manner as now

¹"first" in original.

²"first" in original.

provided with reference to proceedings in equity,” act of June 3, 1893 (P.L.281), entitled “A supplement to ‘an act empowering councils in cities of the first-class to revise and establish the line for wharves and piers and low water mark or bulkhead lines on the Delaware river in front of cities of the first class,’ approved June eighth, one thousand eight hundred and ninety-one, and to further authorize the acquisition by said cities of wharves, piers, bulkheads and riparian rights, and to prescribe and carry out the plans for the construction of said wharves, piers and bulkheads.”

(32) *As much of section 9 as reads on two occasions as follows: “to the Supreme Court,” section 29, except as much of said section as reads as follows: “such appeal shall supersede any peremptory writ awarded by the court, and also any execution for damages or costs, upon bail to be given as in other civil cases,” and all of sections 31 and 32, act of June 8, 1893 (P.L.345), entitled “An act relating to Mandamus.”*

(33) *First and second sentences of the eighth paragraph of section 8, act of June 24, 1895 (P.L.212), entitled “An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments.”*

(34) *Proviso to the first sentence and all of the second sentence of section 1, act of June 24, 1895 (P.L.243), entitled “An act authorizing appeals to be taken in equity cases of account, where the liability to account is in issue from the preliminary order or decree of court requiring an account.”*

(35) *Section 2, act of June 26, 1895 (P.L.349), entitled “An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes.”*

(36) *Section 1, act of May 19, 1897 (P.L.67), entitled “An act regulating the practice, bail, costs and fees on appeals to the Supreme Court and Superior Court.”*

(37) *As much of the first sentence of section 7 as reads as follows: “to the Supreme or Superior Court,” act of April 28, 1899 (P.L.74), entitled “An act authorizing any borough or city within this Commonwealth to vacate, change, alter or relocate the course or channel of any creek, run or natural waterway, other than navigable streams, and for this purpose to enter upon, condemn and take property and materials necessary to such vacation, change, alteration or relocation, and providing for the ascertainment and assessment of costs, damages and expenses, as well as the levy and collection of benefits arising therefrom, and constituting such benefits a lien upon the properties upon which they are respectively assessed.”*

(38) *As much of section 1 as reads as follows: “to the Superior or*

Supreme Court: Provided, That such exceptions and appeals shall be governed and regulated by the laws now in force, regulating exceptions and appeals to the Supreme and Superior Courts in civil cases," act of May 11, 1901 (P.L.185), entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

(39) *Section 39, act of June 4, 1901 (P.L.404), entitled "An act relating to insolvency; embracing, among other matters, voluntary assignments for the benefit of creditors, and adverse proceedings in insolvency by creditors; forbidding, also, certain preferences; providing for the distribution of the insolvent's estate, and in certain contingencies relieving him, and others liable with him, from further liability for his or their debts."*

(40) *Section 5, act of June 10, 1901 (P.L.555), entitled "An act authorizing and empowering boroughs and incorporated towns to take, use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality; and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor."*

(41) *As much of the last sentence of section 1 as reads as follows: "to the Superior and Supreme Courts," act of July 2, 1901 (P.L.607), entitled "An act to provide for reviewing the proceedings of township road commissioners in laying out, opening and vacating roads."*

(42) *As much of the last sentence of section 2 as reads as follows: "to the Superior Court," act of July 17, 1901 (P.L.668), entitled "An act authorizing any municipality to connect with the sewer of any other municipality and township of the first class, for sewage purposes, and providing a method for ascertaining the damages caused thereby, and for the assessment and payment of the same."*

(43) *Last sentence of section 5, act of March 26, 1903 (P.L.63), entitled "An act authorizing and empowering the several cities of this Commonwealth to purchase, or acquire by condemnation proceedings, such real estate, within the city limits, as they may need, upon which to erect or construct municipal buildings, fire engine houses, gas and electric light works, and, within or without the city limits, upon which to erect hospitals, water-works, and poorhouses, and for the purpose of a poor-farm."*

(44) *Section 4, act of April 17, 1905 (P.L.183), entitled "An act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph, telephone, or light, or power companies."*

(45) *As much of the last sentence of section 18 as reads as follows: "to the Supreme or Superior Court," act of April 20, 1905 (P.L.239),*

entitled, as amended, "An act providing for and defining the rights, remedies, duties, and liabilities of purchasers of real estate at judicial sales, and tax sales, and of their grantees, heirs and devisees, and of the persons then in possession thereof."

(46) *As much of the last sentence of section 1 as reads as follows: "to the Supreme or Superior Court, as in other cases, which shall review the action of the court below, and enter such judgment as shall be warranted by the evidence taken in that court," and all of the last sentence of section 2, act of April 22, 1905 (P.L.286), entitled "An act authorizing the courts of this Commonwealth to certify the evidence and enter judgment upon the whole record, whenever a request for binding instructions has been reserved or declined by the trial judge; and authorizing appeals from the judgment so entered, and the entry of the proper judgment in the Supreme or Superior Court."*

(47) *Section 4, act of May 4, 1905 (P.L.380), entitled "An act to empower railroad companies to change the location and grade, or either, of bridges and their approaches belonging to bridge corporations, to accommodate the location and construction of their railroad, or the changing, relocating, widening, straightening, or improvement thereof."*

(48) *As much of the first sentence of section 1 as reads as follows: "to the Supreme or the Superior Court," act of April 15, 1907 (P.L.83), entitled "An act relating to the taxing as part of the costs the printing of paperbooks, upon appeals to Supreme and Superior Courts."*

(49) *As much of section 1 as reads as follows: "to the Supreme or Superior Court," act of May 28, 1907 (P.L.283), entitled "An act regulating the practice and bail on appeals in equity cases, and providing for supersedeas where a specific performance of a contract for the purchase of land is decreed, and the defendant answers that the title to the land in question is not good and marketable."*

(50) *As much of the third from last sentence of section 1 as reads as follows: "to the Supreme or Superior Court, in the manner prescribed in other cases," act of June 6, 1907 (P.L.417), entitled "An act to authorize all State hospitals for injured persons, and all hospitals for the care and treatment of the insane, in whole or in part maintained by State aid, to acquire lands for hospital purposes; and to take waters, streams, lands, property, and materials for purposes of supplying said hospitals with pure water for hospital purposes; prescribing the manner in which said lands, streams, property, and materials may be taken, and the manner of compensating the owners thereof for such taking."*

(51) *As much of the first sentence of section 6 as reads as follows: "to the Superior or to the Supreme Court, according to law," act of March 24, 1909 (P.L.67), entitled "An act authorizing municipalities to purchase or condemn public toll-bridges crossing rivers or streams within the limits thereof; and giving power to municipalities to charge*

and collect tolls or rentals, for the use of any such bridge, from railway, telephone, and telegraph companies, and other persons making a use thereof for other than ordinary public foot and vehicle travel; and providing for the preservation of existing contracts with such persons, and their assignment to such municipality.”

(52) *As much of the first sentence of section 6 as reads as follows: “to the Superior or to the Supreme Court, according to law,” act of March 24, 1909 (P.L.69), entitled “An act authorizing municipalities to purchase, condemn, maintain and use public toll-bridges crossing rivers or streams within the limits thereof, and to enter into a contract with the county commissioners of the proper county,—when said commissioners are duly authorized thereto by the court of quarter sessions, on petition of twenty or more tax-payers of such county,—whereby the said county shall pay a portion of the cost thereof; and giving power to the municipalities to charge and collect tolls¹ or rentals, for the use of any such bridge, from railway, telephone, and telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel; and providing for the preservation of existing contracts with such persons, and their assignment to such municipality.”*

(53) *As much of the last sentence of section 1 as reads as follows: “to the Supreme or Superior Court, as in other cases, which shall review the action of the court below, and enter such judgment, if any, as should have been entered by the court below upon that evidence,” act of April 20, 1911 (P.L.70), entitled “An act authorizing the courts of this Commonwealth, in cases where the jury have disagreed, to certify the evidence so as to become part of the record, and to enter judgment upon the whole record, if either party was entitled thereto, whenever a request for binding instructions has been reserved or declined by the trial judge; and authorizing appeals from the judgment so entered, and the entry of the proper judgment in the Supreme or Superior Court.”*

(54) *Section 9, act of May 5, 1911 (P.L.198), entitled “An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof.”*

(55) *As much of section 3 as reads as follows: “to the Supreme or Superior Court” and as much of section 5 as reads as follows: “by the Supreme Court or Superior Court,” act of May 11, 1911 (P.L.279), entitled “An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions*

¹“of” in original.

need not be taken where the decision of the court appears in the proceedings of a case."

(56) *Last sentence of second paragraph of section 5, act of May 12, 1911 (P.L.295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for."*

(57) *Section 4, act of May 28, 1913 (P.L.368), entitled "An act giving to all owners or tenants of lands, property, or material, abutting on, or through which pass, roads, streets, lanes, or alleys, injured by the laying out, opening, widening, vacating, extending, or grading of said roads, streets, lanes, or alleys, or the changing of grades and lines thereof, by cities, counties, boroughs, or townships, within this Commonwealth; the construction and the vacating by said cities, counties, boroughs, or townships of bridges, and the piers, abutments, approaches, embankments, slopes or causeways therefor, or leading thereto, which abut on or pass through or along said lands, property, or material; and the construction by said cities, counties, boroughs, or townships of sewers in, over, upon, along, or through said lands, property, or material, the right to damages for said injuries; directing all juries of view appointed, or that shall hereafter be appointed, under existing laws for assessing damages or benefits for taking, using, occupying, or injuring lands, property or material, to assess said damages, if any, against said cities, counties, boroughs or townships, as the case may be, and the benefits, if any, in connection therewith; granting the right of appeal to the proper court of common pleas from the report of said juries, and the trial by jury in said court of common pleas, and the right to file exceptions to said report; and the right of appeal to the Superior Court or Supreme Court, after disposal of exceptions, or verdict and final judgment; and providing that this act shall apply to all existing and future proceedings."*

(58) *As much of the first sentence of section 1 as reads as follows: "to the supreme or superior court," act of June 5, 1913 (P.L.422), entitled "An act relating to the payment of costs in all cases wherein the judgment, order, sentence, or decree of a court is reversed by an appellate court, with or without a venire or order as to costs."*

(59) *Section 10, act of June 17, 1913 (P.L.520), entitled "An act empowering cities of the first class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities, and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right*

of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies, and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities."

(60) Section 14, act of July 12, 1913 (P.L.711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof."

(61) Section 7, act of April 2, 1915 (P.L.44), entitled "An act granting to boroughs and incorporated towns the right of eminent domain for certain purposes, and regulating the procedure thereunder."

(62) As much of the second sentence as reads as follows: "to the Superior Court" of the fifth paragraph, as much of the first sentence as reads as follows: "to the Superior Court" and "or the county court of Allegheny County, as the case may be within thirty days after entry of said judgment, irrespective of the amount involved" as much of the second sentence as reads as follows: "to the Superior Court" and "or the county court of Allegheny County, as the case may be" as much of the third sentence as reads as follows: "of common pleas or the county court of Allegheny County, as the case may be and from it to the Superior Court" and all of the fourth sentence of the sixth paragraph of section 427 and as much as reads as follows: "of common pleas and of the Supreme and Superior Court" of section 432, act of June 2, 1915 (P.L.736), known as "The Pennsylvania Workmen's Compensation Act."

(63) Last sentence of the penultimate paragraph of section 7, act of June 7, 1915 (P.L.878), entitled, as amended, "An act providing for the escheat of certain property received for storage or safe-keeping or otherwise and of certain deposits of money; also for the escheat of certain dividends, profits, debts, and interest on debts of corporations, companies, banks, national banks, trust companies, insurance companies, limited partnerships, and partnership associations, doing business in this Commonwealth, except building and loan associations; also for the escheat of certain moneys, property, and estates held by persons, partnerships, associations, or corporations in any fiduciary capacity whatsoever; and the profits, accretions, and interest on such moneys, property, and estates, as well as the interest thereon accrued between the date of the decree of any court ordering the distribution of

such moneys, property, and estates, and the actual distribution thereof; also for the escheat of certain moneys paid into or deposited in any court of this Commonwealth, or in any Federal court in and for any district within the Commonwealth, or in the custody of any officer of such court; and for the escheat of certain other moneys, property, and estates held in any manner by any person, association, or body corporate for the benefit of another."

(64) *As much of section 1, as reads as follows: "to the Supreme or to the Superior Court, as in other cases," act of April 26, 1917 (P.L.102), entitled "An act allowing appeals from orders of court entered on motions to quash or dissolve writs of foreign attachment."*

(65) *Section 10, act of July 5, 1917 (P.L.668), entitled "An act empowering cities of the second class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities, and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies, and, under certain conditions, to use portions of the tracks of the latter; and empowering railroad, railway, and motor-power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities, subject to the provisions of The Public Service Company Law of July twenty-sixth, one thousand nine hundred and thirteen, and its supplements and amendments."*

(66) *Section 1, act of July 11, 1917 (P.L.817), entitled "An act authorizing appeals to the Superior Court in all habeas corpus cases involving the custody of children."*

(67) *Section 7, act of July 19, 1917 (P.L.1112), entitled "An act relating to the extinguishment of ground-rents; and providing a means, where ground-rent has been extinguished by payment, or presumption of law, for recording evidence of such extinguishment; regulating the practice in such proceedings, and making the same binding and effectual."*

(68) *Section 10 and last paragraph of section 13, act of July 25, 1917 (P.L.1180), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."*

(69) *As much of section 1 as reads as follows: "to the Superior or Supreme Court," act of April 18, 1919 (P.L.72), entitled "An act relating*

to the consideration upon appeal by the Supreme and Superior Courts of testimony taken in proceedings in courts of record and providing for the making of such testimony a part of the records."

(70) Section 8, act of May 16, 1919 (P.L.169), entitled "An act providing for the payment into the State Treasury of unclaimed funds in the hands of fiduciaries; defining the term fiduciary; providing for the refunding of such funds from the State Treasury with interest to persons entitled thereto, and making an appropriation therefor; prohibiting the discharge of such fiduciaries, the release of their sureties, or the final distribution of funds in their possession, until after compliance with the provisions of this act; and imposing penalties."

(71) Penultimate paragraph of section 1, act of May 16, 1919 (P.L.177), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property, subject to escheat under the provisions of any act of the General Assembly; and for the refund thereof with interest to persons entitled thereto, and making an appropriation for such refund."

(72) As much of section 7 as reads as follows: "from which order such county or the Commonwealth shall have the right of an appeal to the Supreme Court within thirty days," act of May 16, 1919 (P.L.196), entitled "An act authorizing the Commonwealth to rebuild county bridges, over eight hundred feet in length, located on State highways, where such bridges have been heretofore destroyed by fire; providing for the appointment of viewers and inspectors, and for the payment of the costs of rebuilding such bridges; and imposing certain charges upon counties."

(73) Section 10, act of May 23, 1919 (P.L.255), entitled "An act authorizing the county commissioners of any county and the corporate authorities of any city of the third class located within such county, to erect a joint county and city building or buildings to be used for hospital purposes; providing for the selection of a site by purchase, condemnation, or otherwise; authorizing the county or city to sell real estate under certain conditions; providing for the contracts and agreements to be entered into by the county and city; and authorizing the county and city to issue bonds for certain purposes."

(74) As much of the first sentence as reads as follows: "within sixty days, to the court of common pleas of Dauphin County" and as much of the last sentence as reads as follows: "subject to the right of appeal to the Supreme Court" of section 27, act of June 20, 1919 (P.L.521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining

as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

(75) Section 6, act of July 9, 1919 (P.L.814), entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden, and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act."

(76) Section 6, act of July 15, 1919 (P.L.976), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain, where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws, and an appropriation made therefor."

(77) Third sentence of the second paragraph of section 654, act of May 17, 1921 (P.L.682), known as "The Insurance Company Law of 1921."

(78) Section 9, act of May 20, 1921 (P.L.984), entitled "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish; and defining the powers and duties of the Department of Forests and Waters, the Board of Game Commissioners, and the Board of Fish Commissioners, respectively, in relation thereto."

(79) As much of section 39 as reads as follows: "to the Supreme or Superior Court as in other cases," act of May 16, 1923 (P.L.207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the

proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly."

(80) Section 9, act of June 27, 1923 (P.L.846), entitled "An act providing a means whereby real estate devised upon a trust to divide it among other persons, and the trustee has died without performing the trust, may be divided amicably by the interested persons with the approval of the orphans' court and the legal title be vested in them by judicial decree."

(81) First sentence of section 3, act of March 5, 1925 (P.L.23), entitled "An act in relation to the procedure in certain classes of cases in which there is raised a question as to the jurisdiction of a court of first instance over the defendant or the cause of action for which suit is brought; and authorizing appeals from the preliminary decision of such questions."

(82) Sections 3 and 4, act of April 30, 1925 (P.L.414), entitled "An act authorizing cities of the first class to acquire land for the purpose of holding public expositions celebrating sesqui-centennials; to lay out, open, and improve streets, avenues, or boulevards in connection therewith; and to pass ordinances, incur indebtedness, and make appropriations therefor; and providing procedure for the condemnation of such lands, the assessment of damages or benefits, and appeals therefrom."

(83) Penultimate sentence of section 4, act of May 13, 1925 (P.L.667), entitled "An act providing for the building or rebuilding of inter-county bridges by adjoining counties or by a county and a city in an adjoining county, and providing for the assessment and payment of damages for lands taken for such purpose by any county."

(84) Last sentence of subsection (b) of section 15, act of April 25, 1927 (P.L.381), entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party; regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto."

(85) Section 3, act of May 3, 1927 (P.L.515), entitled "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."

(86) As much of the second sentence of subsection (c) of section 1202 as reads as follows: ", subject to the right of appeal to the Supreme or

Superior Court,” act of April 9, 1929 (P.L.343), known as “The Fiscal Code.”

(87) *Last sentence of subsection (e) of section 10, act of May 1, 1929 (P.L.1216), known as the “Real Estate Brokers License Act of one thousand nine hundred and twenty-nine.”*

(88) *Section 5, act of May 2, 1929 (P.L.1530), entitled “An act relating to the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir for the flood control of the Shenango and Beaver Rivers; conferring and continuing certain powers and duties on the Department of Forests and Waters in relation to the establishment and maintenance of such reservoir; providing for the acquisition of necessary lands therefor, and the necessary agreements and releases relating thereto, and the disposition of surplus land and materials.”*

(89) *Second sentence of section 11A, act of May 8, 1929 (P.L.1643), entitled “An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties.”*

(90) *Sixth sentence of the third paragraph of section 12, act of May 29, 1931 (P.L.280), entitled “An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances.”*

(91) *As much of the penultimate sentence of section 10 as reads as follows: “to the Supreme Court or Superior Court as in other cases,” act of June 22, 1931 (P.L.883), entitled “An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process, and relieving the sheriff from liability therefor.”*

(92) *Third sentence and as much of the fourth sentence of section 505 as reads as follows: “by the court of quarter sessions, or by the Supreme Court”; fourth sentence and as much of the fifth sentence of section 517 as reads as follows: “by the court of quarter sessions, or by the Supreme Court”; as much of section 544 as reads as follows: “within thirty days to the Superior or Supreme Court as in other cases”; fifth sentence of section 2549, sections 2835, 2840 and 2841, second sentence*

of section 2844, section 2845, as much of section 2921 as reads as follows: "except that they may appeal from the court of common pleas to the Supreme or Superior Courts according to law"; and as much of the second sentence of section 3245 as reads as follows: "to the Supreme or Superior Court," act of June 23, 1931 (P.L.932), known as "The Third Class City Code."

(93) *As much of the last sentence of section 645 as reads as follows: "and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law"; as much of section 1018, as reads as follows: ", and may appeal therefrom to the Superior or Supreme Court as in other cases," sections 1938, 1943 and 1944, last sentence of section 1948 and section 1949, act of June 24, 1931 (P.L.1206), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P.L.1955).*

(94) *As much of the last sentence of subsection (a) of section 9 as reads as follows: "to the Superior or Supreme Court as now provided by law" and as much of the first sentence of section 18 as reads as follows: "to the board or to the court of common pleas or Superior or Supreme Court," act of June 26, 1931 (P.L.1379), entitled, as amended, "An act creating in counties of the second A and third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, ¹school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities."*

(95) *Fifth sentence of section 1, act of April 7, 1933 (P.L.27), entitled "An act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases, and to acquire by purchase or condemnation the necessary land therefor."*

(96) *As much as reads as follows: ", and may appeal therefrom to the Superior or Supreme Court as in other cases" of section 562; subsection (c), and as much of the first sentence of subsection (e) as reads as follows: "of common pleas, or, of the Supreme Court, if an appeal shall have been taken" of section 908; sections 1038, 1043 and 1044; last sentence of section 1048, and as much as reads as follows: "to the Superior Court as in other cases" of section 1531, act of May 1, 1933*

¹"schools" in original.

(P.L.103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P.L.1481).

(97) Last paragraph of section 5, act of May 1, 1933 (P.L.216), known as "The Dental Law."

(98) Section 15, act of May 3, 1933 (P.L.242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties."

(99) As much of the last sentence of subsection C of section 322 as reads as follows: "to the Superior Court" act of May 5, 1933 (P.L.364), known as the "Business Corporation Law."

(100) Section 11, act of May 15, 1933 (P.L.565), known as the "Department of Banking Code."

(101) As much as reads as follows: ", to the Supreme or Superior Court, in the same manner as appeals are taken in other cases to said Supreme or Superior Court" of section 519 and as much as reads as follows: "to the proper board of revision, court of common pleas, or to the Supreme or Superior Court" of section 520, act of May 22, 1933 (P.L.853), known as "The General County Assessment Law."

(102) Penultimate sentence of section 10, act of May 31, 1933 (P.L.1108), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties."

(103) As much of the last sentence of section 1 as reads as follows: "to the Superior and Supreme Courts," act of June 1, 1933 (P.L.1409), entitled, as amended, "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving

vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," reenacted and amended July 3, 1941 (P.L.259).

(104) *Penultimate and last sentences of each of sections 15 and 16, act of June 2, 1933 (P.L.1433), known as "The Juvenile Court Law."*

(105) *Penultimate and last sentences of each of sections 414 and 415, act of June 3, 1933 (P.L.1449), known as the "Juvenile Court Law of Allegheny County."*

(106) *Act of June 11, 1935 (P.L.301), entitled "An act prescribing the courts to which successive appeals by the same or different parties, but involving the same questions shall be taken; regulating the disposition of such appeals; and repealing certain acts and parts of acts."*

(107) *Penultimate sentence of section 27, act of July 17, 1935 (P.L.1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws."*

(108) *Last sentence of each of the third and fourth paragraphs of section 2, last sentence of section 4, as much of the last sentence of section 5 as reads as follows: ", whose determination therein shall be subject to appeal to the Superior Court and Supreme Court as in other cases," as much of the last sentence of section 11 as reads as follows: "to the Superior Court and the Supreme Court as in other cases" and as much of the last sentence of section 14 as reads as follows: "to the Superior Court and the Supreme Court," act of July 18, 1935 (P.L.1196), entitled "An act to classify certain surface lands as auxiliary forest reserves; to prescribe the terms and conditions of their continuance in such classification or removal therefrom; defining the duties of the Secretary of Forests and Waters, of the county commissioners, and of the county treasurer of the respective counties in connection therewith; providing for the appointment of viewers and appraisers; providing for appeals to the respective courts of common pleas and to the Superior Court and the Supreme Court from reports of said viewers and appraisers and*

from the action of the Secretary of Forests and Waters; providing for a tax upon the stumpage value of trees removed from such lands and the method of ascertainment and collection thereof; providing for the ascertainment and collection of taxes upon such lands when they have been removed from such classification before the cutting of trees therefrom; permitting the removal of certain trees from lands so classified by the owners thereof; providing that lands so classified may be sold only subject thereto; prescribing the method of assessment of such lands during their continuance in such classification; making it a misdemeanor to cut, fell, and remove trees from lands so classified, and defining the punishment therefor; validating contracts between the Department of Forests and Waters and the State Forestry Reservation Commission and owners of such auxiliary forest reserve lands under prior acts of Assembly; and repealing all acts or parts of acts inconsistent herewith."

(109) Section 13, act of August 6, 1936 (P.L.95), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; and to expend moneys and incur indebtedness; to assess benefits against property benefited; to issue improvement bonds imposing no municipal liability; and to acquire, take, injure or destroy property for such purposes."

(110) Section 5, act of August 7, 1936 (P.L.106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," reenacted and amended March 10, 1937 (P.L.43).

(111) Last sentence of subsection (f) of section 301, as much of section 509 as reads as follows on two occasions: "Superior," and as much of section 511 as reads as follows on two occasions: "Superior", act of December 5, 1936 (1937 P.L.2897) known as the "Unemployment Compensation Law."

(112) Section 908, act of April 28, 1937 (P.L.417), known as the "Milk Marketing Law."

(113) Section 6, except the first, penultimate and last sentences of the

first paragraph and all of the last paragraph of said section, act of May 21, 1937 (P.L.774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds."

(114) *Second sentence of section 11, act of May 27, 1937 (P.L.901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties."*

(115) *Last sentence of subsection (a) of section 313, last sentence of section 903, as much of the first sentence as reads as follows: "to the Superior Court" and the second and last sentences of subsection (a) and as much of the first sentence as reads as follows: "to the Superior Court" of subsection (b) of section 1101, as much as reads as follows: "Superior" of each of sections 1103, 1104 and 1108, all of section 1109, as much as reads as follows: "Superior" of section 1110, last sentence of section 1111, as much as reads as follows: "to the Superior Court" of section 1112, and as much as reads as follows: "Superior" of section 1202, act of May 28, 1937 (P.L.1053), known as the "Public Utility Law."*

(116) *As much of the penultimate sentence as reads as follows: "and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court on appeal by the board or any party in interest, irrespective of the nature of the decree or judgment or the amount involved" and all of the last sentence of subsection (a) and as much of the penultimate sentence as reads as follows: "and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court on appeal by the person aggrieved, or*

the board, irrespective of the nature of the decree or judgment or the amount involved” and all of the last sentence of subsection (b) of section 9, act of June 1, 1937 (P.L.1168), known as the “Pennsylvania Labor Relations Act.”

(117) Subsection (b) of section 1611, act of June 3, 1937 (P.L.1333), known as the “Pennsylvania Election Code.”

(118) Penultimate sentence of section 8, and subsection (e) of section 10, act of June 25, 1937 (P.L.2063), entitled “An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties.”

(119) Section 3, act of June 25, 1937 (P.L.2116), entitled “An act declaring certain rights, grants, and privileges in the beds of navigable waters, within and on the boundaries of this Commonwealth, void; vesting power in the Department of Forests and Waters, the Water and Power Resources Board, and the Pennsylvania State Park and Harbor Commission to revoke and declare void such rights, grants, and privileges, and providing the procedure in such cases.”

(120) As much of the last sentence of section 6 as reads as follows: “; within thirty days, to the Superior or Supreme Court, as in other cases”, act of July 2, 1937 (P.L.2803), entitled “An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto.”

(121) As much of the second sentence as reads as follows: “to the Superior Court” of the fifth paragraph, as much of the first sentence as reads as follows: “to the Superior Court” and “or the county court of Allegheny County as the case may be within thirty days after entry of said judgment irrespective of the amount involved” as much of the second sentence as reads as follows: “to the Superior Court” and “or the county court of Allegheny County, as the case may be”, as much of the third sentence as reads as follows: “of common pleas or the county court of Allegheny County, as the case may be, and from it to the Superior

Court” and all of the fourth sentence of the sixth paragraph of section 427 and as much as reads as follows: “of common pleas and of the Supreme and Superior Court” of section 432, act of June 21, 1939 (P.L.566), known as “The Pennsylvania Occupational Disease Act.”

(122) Proviso to the first sentence, as much of the second sentence as reads as follows: “or county court of Allegheny County, as the case may be, of such county, to the Supreme or Superior Court, in the same manner as appeals are taken in other cases to the said Supreme or Superior Court” and fourth sentence of section 12, act of June 21, 1939 (P.L.626), entitled “An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties.”

(123) Fourth paragraph of section 18, act of June 24, 1939 (P.L.748), known as “The Pennsylvania Securities Act.”

(124) As much of the fifth sentence of subsection (d) of section 1108 as reads as follows: “by the Supreme or Superior Courts”, act of June 24, 1939 (P.L.872), known as “The Penal Code.”

(125) As much of section 15 as reads as follows: “to the Supreme or Superior Courts, as is now provided by law”, act of June 27, 1939 (P.L.1199), entitled “An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employes; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws.”

(126) As much of the second sentence of section 3.3 as reads as follows: “and if such person is aggrieved by the decision of the court of common pleas he shall have the right to appeal to the Supreme Court of Pennsylvania”, act of June 27, 1939 (P.L.1207), entitled, as amended, “An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except chiefs and chief clerks) in bureaus of fire and fire alarm operators and fire box inspectors in bureaus of electricity, in cities of the second class; defining the powers and duties of Civil Service Commissions for such purpose in said cities; and repealing inconsistent legislation.”

(127) Section 9, act of May 16, 1940 (1941 P.L.949), known as the "Pennsylvania Turnpike Philadelphia Extension Act," except the first, penultimate and last sentences of the first paragraph and all of the last paragraph of said section.

(128) Section 9, act of June 11, 1941 (P.L.101), known as the "Western Pennsylvania Turnpike Extension Act," except the first, penultimate and last sentences of the first paragraph and all of the last paragraph of said section.

(129) Section 311 and last sentence of section 313, act of June 25, 1941 (P.L.159), known as the "Municipal Borrowing Law."

(130) Section 7, except the first, penultimate and last sentences of the first paragraph and all of the last paragraph of said section, act of July 16, 1941 (P.L.386), entitled, as amended, "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the 'Pocono Mountain Memorial Parkway'; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways and authorizing the issuance of parkway revenue refunding bonds."

(131) As much of section 705, as reads as follows: "to the Supreme or Superior Court, in the same manner as appeals are taken in other cases to the said Supreme or Superior Court" and as much of section 706, as reads as follows: "to the proper board, court of common pleas or to the Supreme or Superior Court", act of May 21, 1943 (P.L.571), known as "The Fourth to Eighth Class County Assessment Law."

(132) First sentence of section 4, act of June 3, 1943 (P.L.848), entitled "An act providing that every mine foreman, assistant mine foreman and fire boss, under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth, represents and is an officer of the Commonwealth in the mine in which employed, for the suspension or cancellation of the certificates of such officials as shall hold same, and for the disqualification of such as are uncertificated by

the Secretary of Mines after or prior to hearing, for failure or refusal to perform his respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines, with respect thereto, and providing for a review of his decisions by courts of common pleas and the Superior Court; providing for re-examination by the examining board of any person whose certificate has been cancelled, and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator in such capacity of any mine foreman, assistant mine foreman or fire boss not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.”

(133) *Last paragraph of section 7, act of April 27, 1945 (P.L.321), known as “The Veterinary Law.”*

(134) *Last sentence of clause (h) of ¹subsection B of section 4, and last sentence of ²subsection D of section 11.1, act of May 2, 1945 (P.L.382), known as the “Municipality Authorities Act of 1945.”*

(135) *Last paragraph of section 8, act of May 23, 1945 (P.L.913), known as the “Professional Engineers Registration Law.”*

(136) *As much of the last sentence of section 21 as reads as follows: “and shall have the further right of appealing to the Superior Court or Supreme Court in such manner as is now provided by law.”, act of June 1, 1945 (P.L.1232), entitled “An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws.”*

(137) *Second paragraph of section 303, sixth sentence of section 412 and as much of section 776 as reads as follows: “to the Supreme Court, at any time within thirty (30) days,” act of June 1, 1945 (P.L.1242), known as the “State Highway Law.”*

(138) *Section 8, act of June 4, 1945 (P.L.1383), entitled “An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties,*

¹“paragraph” in original.

²“paragraph” in original.

easements, rights and right-of-ways; and making an appropriation,” except the first sentence of said section.

(139) *Last sentence of clause (8) of subsection (b) of section 5, act of June 5, 1947 (P.L.458), known as the “Parking Authority Law.”*

(140) *Subsection (f) of section 607, act of July 7, 1947 (P.L.1368), known as the “Real Estate Tax Sale Law.”*

(141) *As much of the first sentence of subsection (a) as reads as follows: “to the court of common pleas of the county in which the district is located, except in Allegheny County where the appeal shall be to County Court of Allegheny” and as much of the first sentence of subsection (b) as reads as follows: “to the court of common pleas of the county in which the district is located or to County Court of Allegheny County, the judge of” of section 1132 and the last sentence of section 2453, act of March 10, 1949 (P.L.30), known as the “Public School Code of 1949.”*

(142) *As much of the last sentence of section 4 as reads as follows: “by the Superior Court.”, act of April 14, 1949 (P.L.482), entitled, as amended, “An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class, by cities of the second class, by cities of the second class A, by cities of the third class, by boroughs or by townships of the first or second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith.”*

(143) *Last sentence of section 2, act of April 18, 1949 (P.L.492), entitled “An act enabling and authorizing the Department of Public Instruction or any of its departmental administrative boards, commissions, or officers to proceed by injunction or any other process in the court of common pleas in any county where the alleged unauthorized practice was committed, to prohibit and restrain any unlicensed person, association, copartnership, or corporation from engaging in an activity for which a license is required to be issued by the Department of Public Instruction, and to set out the method and procedure therefor.”*

(144) *Sections 10 and 13, act of April 22, 1949 (P.L.715), entitled “An act empowering, authorizing and directing the Secretary of Highways to acquire toll bridges located wholly within Pennsylvania; providing the procedure therefor, and prescribing certain duties of the Governor, the Auditor General and the State Treasurer to be exercised in connection therewith; conferring jurisdiction in condemnation*

proceedings on certain courts of common pleas; authorizing the Secretary of Highways to enter into agreements with a state authority or agency for the acquisition of such toll bridges; providing for the operation of such bridges as toll bridges after acquisition, providing a plan for making such bridges free bridges under certain terms and conditions, and for their control and maintenance after acquisition; and making an appropriation."

(145) *Subsection (d) of section 8, act of May 11, 1949 (P.L.1140), known as the "Unclaimed Funds Act for Life Insurance Companies."*

(146) *Section 2, act of May 18, 1949 (P.L.1474), entitled "An act to authorize political subdivisions to acquire by purchase, condemnation, or in any other manner, pillars in anthracite and bituminous coal mines or other property necessary to the support of the surface above such mines or structures thereon, in order to prevent subsidence thereof," except the first sentence of said section.*

(147) *Last sentence of first paragraph of section 464, as much of the last sentence of subsection (a) of section 468 as reads as follows: "and therefrom to the Superior Court," penultimate sentence of first paragraph of section 471 and last sentence of section 515, as much of the last sentence as reads as follows: "within twenty days from the date of refusal" of section 710 and the last sentence of section 711, act of April 12, 1951 (P.L.90), known as the "Liquor Code."*

(148) *First paragraph of subsection (a) of section 9, act of May 23, 1951 (P.L.335), known as the "Pennsylvania Turnpike Delaware River Extension Act," except the penultimate and last sentences of said paragraph.*

(149) *Penultimate and last sentences of section 7, act of May 25, 1951 (P.L.415), entitled "An act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of common pleas; prescribing venue; defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs; allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation, including that conferring jurisdiction on courts of quarter sessions."*

(150) *First paragraph of subsection (a) of section 9, act of September 27, 1951 (P.L.1430), known as the "Pennsylvania Turnpike Northeastern Extension Act," except the penultimate and last sentences of said paragraph.*

(151) *Fourth sentence of subsection (c) of section 12, act of January 14, 1952 (P.L.1898), known as the "Funeral Director Law."*

(152) *First paragraph of subsection (a) of section 9, act of January 14, 1952 (P.L.1947), known as the "Pennsylvania Turnpike Gettysburg Extension Act," except the penultimate and last sentences of said paragraph.*

(153) *First paragraph of subsection (a) of section 9, act of July 28, 1953 (P.L.706), known as the "Pennsylvania Turnpike Northwestern Extension Act," except the penultimate and last sentences of said paragraph.*

(154) *Sections 2623, 2624, as much of the fourth sentence of section 3205 as reads as follows: "to the Supreme Court or Superior Court, as provided in other appeals," and as much of the first sentence of section 3206 as reads as follows: "to the Supreme Court or Superior Court," act of July 28, 1953 (P.L.723), known as the "Second Class County Code."*

(155) *First paragraph of subsection (a) of section 9, act of June 10, 1955 (P.L.157), known as the "Pennsylvania Turnpike Keystone Shortway Act," except the penultimate and last sentences of said paragraph.*

(156) *First paragraph of subsection (a) of section 9, act of June 14, 1955 (P.L.174), known as the "Pennsylvania Turnpike Southwestern Extension Act," except the penultimate and last sentences of said paragraph.*

(157) *Sections 2423, 2424, as much of the fourth sentence of section 2805 as reads as follows: "to the Supreme Court or Superior Court, as provided in other appeals.", and as much of the first sentence of section 2806 as reads as follows: "to the Supreme Court or Superior Court," act of August 9, 1955 (P.L.323), known as "The County Code."*

(158) *Subsection (l) of section 502, act of November 30, 1955 (P.L.756), known as the "Gas Operations Well-Drilling Petroleum and Coal Mining Act."*

(159) *Fourth sentence of section 19, act of March 2, 1956 (P.L.1206), reenacted and amended August 24, 1963 (P.L.1199), known as the "Podiatry Act of 1956."*

(160) *Sixth sentence of clause (9) of subsection (b) of section 3, act of April 6, 1956 (P.L.1414), known as the "Second Class County Port Authority Act."*

(161) *First paragraph of subsection (a) of section 9, act of May 15, 1956 (P.L.1589), known as the "Pennsylvania Turnpike Philadelphia Loop Extension Act," except the penultimate and last sentences of said paragraph.*

(162) *Last paragraph of section 620, last sentence of subsection (b) of section 819 and last sentence of subsection (b) of section 1401, act of April 29, 1959 (P.L.58), known as "The Vehicle Code."*

(163) *Subsection (d) of section 13, act of July 25, 1961 (P.L.825), known as the "Oil and Gas Conservation Law."*

(164) *As much of the last sentence of section 7 as reads as follows: "within forty-five days but not thereafter," act of September 20, 1961 (P.L.1548), known as the "Credit Union Act."*

(165) *Section 7, act of August 8, 1963 (P.L.595), entitled "An act*

relating to private institutions licensed by the Department of Public Welfare or Department of Health; providing remedies against persons operating without a license or violating the laws or rules or regulations made thereunder; and prescribing procedures to be followed.”

(166) *Last sentence of section 2, act of August 8, 1963 (P.L.622), entitled “An act enabling and authorizing the Commissioner of Professional and Occupational Affairs or any of the administrative boards, commissions or officers within the Department of State or otherwise under his supervision to proceed by injunction or any other process in the court of common pleas in any county where the alleged unauthorized practice was committed to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by the Commissioner of Professional and Occupational Affairs, and to set out the method and procedure therefor.”*

(167) *Sixth sentence of clause (9) of subsection (d) of section 4 and clause (23) of subsection (f) of section 8, act of August 14, 1963 (P.L.984), known as the “Metropolitan Transportation Authorities Act of 1963.”*

(168) *As much of section 703 as reads as follows: “to the Supreme Court or the Superior Court as in other cases.”, act of August 24, 1963 (P.L.1175), known as the “Mechanics Lien Law of 1963.”*

(169) *Section 523, act of June 22, 1964 (P.L.84), known as the “Eminent Domain Code.”*

(170) *Subsection (e) of section 13, act of September 2, 1965 (P.L.490), entitled “An act providing for the licensing and regulation of the business of transmitting money or credit for a fee or other consideration by the issuance of money orders, by the sale of checks or by other methods; conferring powers and duties upon the Department of Banking; and imposing penalties.”*

(171) *Second sentence of subsection (a) and subsection (c) of section 9, act of November 9, 1965 (P.L.657), known as the “Hazardous Substances Transportation Act.”*

(172) *Last sentence of each of subsections (c) of section 905, (b) of section 1007, (b) of section 1506, (b) of section 1604, (e) of section 1609, (b) of section 1706, (b) of section 1802 and (c) of section 1803 and second through sixth sentences of subsection (b) of section 1904, act of November 30, 1965 (P.L.847), known as the “Banking Code of 1965.”*

(173) *Last paragraph of section 6, act of December 31, 1965 (P.L.1257), known as “The Local Tax Enabling Act.”*

(174) *Section 209, last sentences of each of sections 216 and 444, as much as reads as follows: “and appeals therefrom to the Superior or Supreme Court”, of section 1050, as much of the last sentence as reads as follows: “and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law” of section 1191, sections 1534, 1539 and 1540, last sentence of section 1544, sections 1545*

and 1564, as much of the last sentence as reads as follows: "to the Supreme or Superior Court" of section 2026, and last sentences of each of sections 2424 and 2477, act of February 1, 1966 (P.L.1656), known as "The Borough Code."

(175) Last sentences of each of subsections (b) of section 206, (c) of section 404, (b) of section 1005, (b) of section 1106, (b) of section 1201 and (b) of section 1202, act of December 14, 1967 (P.L.746), known as the "Savings Association Code of 1967."

(176) Section 1057, act of June 13, 1967 (P.L.31), known as the "Public Welfare Code."

(177) Clause (6) of section 302, act of July 31, 1968 (Act No. 240), known as the "Commonwealth Documents Law."

(178) Section 1012, act of July 31, 1968 (Act No. 247), known as the "Pennsylvania Municipalities Planning Code."

(179) Last sentence of subsection (i) of section 6, act of December 17, 1968 (Act No. 387), known as the "Unfair Trade Practices and Consumer Protection Law."

(180) Penultimate sentences of each of sections 1501 and 1502, act of July 23, 1970 (P.L.563), known as the "Public Employe Relations Act," except as much of each said sentence as reads as follows: "The jurisdiction of the court of common pleas, or the Commonwealth Court, as the case may be, shall be exclusive within the limits of its jurisdiction."

(181) The last sentence of each of sections 1501 and 1502, act of July 23, 1970 (P.L.563), known as the "Public Employe Relations Act."

* * *

Section 2. Section 509 of the act is amended by adding the following new subsections to read:

Section 509. Repeals and Savings Provisions.—* * *

(g) *The following acts and parts of acts are hereby specifically repealed in so far as they vest jurisdiction and powers in courts in any manner inconsistent with this act, provide a time for appeal to an appellate court which is other than the time expressly provided in section 502 of this act, provide appeal procedures inconsistent with this act, or are otherwise in any manner inconsistent with this act:*

(1) Section 9, act of May 22, 1722 (1Sm.L.131), entitled "An ACT for establishing Courts of Judicature in this province."

(2) Section 18, act of February 14, 1730 (1Sm.L.181), entitled "An ACT for the relief of insolvent debtors within the province of Pennsylvania."

(3) Section 3, act of December 9, 1783 (2Sm.L.84), entitled "An ACT for supplying an act, entitled 'An act for the effectual recovering and securing the fines, forfeitures, and other monies, due or belonging to the commonwealth, for the use of the same.' "

(4) Sections 2 and 4, act of March 28, 1786 (2Sm.L.375), entitled "An

ACT to empower the Justices of the Supreme Court to supply defects in the titles to lands, occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time, or accident."

(5) *Section 17, act of September 29, 1787 (2Sm.L.425), entitled "An ACT to declare and regulate Escheats."*

(6) *Section 29, act of April 5, 1790 (2Sm.L.531), entitled "An ACT to reform the penal laws of this State."*

(7) *Section 1, act of April 11, 1799 (3Sm.L.386), entitled "An ACT concerning writs of partition."*

(8) *Section 1, act of February 17, 1818 (P.L.104), entitled "An act to compel trustees to account in certain cases, and for other purposes."*

(9) *Section 1, act of February 5, 1821 (P.L.25), entitled "A further supplement to an act, entitled 'An act to enable the executors and administrators by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned,' passed the thirty-first of March, one thousand seven hundred and ninety-two."*

(10) *Sections 1 and 3, act of March 22, 1825 (P.L.107), entitled "An act to prevent the failure of trusts."*

(11) *Sections 2 and 15, act of June 14, 1836 (P.L.621), entitled "An act relating to writs Quo Warranto and Mandamus."*

(12) *Section 19, act of October 13, 1840 (1841,P.L.1), entitled "An act relating to Orphans' Courts, and for other purposes."*

(13) *Section 15, act of April 5, 1842 (P.L.230), entitled "An act to authorize the construction of a toll bridge over the river Schuylkill, at or near Windsor Haven, in Berks county, and for other purposes."*

(14) *Section 3, act of March 17, 1845 (P.L.158), entitled "An act to allow and regulate appeals to the supreme court, for the Eastern district of Pennsylvania, from the decrees in equity of the court of common pleas of the county of Philadelphia."*

(15) *Section 1, act of April 15, 1858 (P.L.267), entitled "An act to give Jurisdiction in Equity to the Supreme Court and the Court of Common Pleas for the county of Philadelphia, in cases of Disputed Boundaries."*

(16) *Section 73, act of March 31, 1860 (P.L.427), entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings."*

(17) *Section 1, act of February 14, 1866 (P.L.28), entitled "An act authorizing appeals from interlocutory orders, or decrees, granting special injunctions."*

(18) *Section 2, act of April 10, 1869 (P.L.25), entitled "A supplement to an act, entitled 'An Act relating to certain corporations,' approved the twenty-third day of April, Anno Domini one thousand eight hundred and sixty-one."*

(19) Sections 1 and 2, act of April 18, 1874 (P.L.64), entitled "An act relating to affidavits of¹ defence."

(20) Section 1, act of May 19, 1874 (P.L.219), entitled "An act to provide for review in the supreme court in criminal cases."

(21) Section 1, act of April 4, 1877 (P.L.53), entitled "An act providing for appeals from court of common pleas in case of applications for opening of judgments entered on warrants of attorney."

(22) Sections 1 and 2, act of June 12, 1879 (P.L.177), entitled "An act authorizing appeals to be taken in equity cases, where special or preliminary injunction has been refused."

(23) Section 1, act of June 1, 1883 (P.L.58), entitled "An act empowering and directing the county commissioners of any county to purchase ground at the county seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts, and of the several officers of the county, and for the reception and safe keeping of the records and other papers in charge of such officers; and also such other building or buildings as may be necessary and proper for the purposes of a county jail or workhouse, when occasion shall require the erection of such building or buildings, and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commissioners, then to resort to condemnation."

(24) Sections 12, 13 and 22, act of May 2, 1889 (P.L.66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same."

(25) Section 1, act of June 24, 1895 (P.L.243), entitled "An act authorizing appeals to be taken in equity cases of account, where the liability to account is in issue from the preliminary order or decree of court requiring an account."

(26) Section 2, act of April 22, 1905 (P.L.286), entitled "An act authorizing the courts of this Commonwealth to certify the evidence and enter judgment upon the whole record, whenever a request for binding instructions has been reserved or declined by the trial judge; and authorizing appeals from the judgment so entered, and the entry of the proper judgment in the Supreme or Superior Court."

(27) Clause (a) of section 1, act of June 17, 1915 (P.L.1012), entitled, as amended, "An act regulating the business of loaning money in sums of six hundred (\$600) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act."

¹"defense" in original.

(28) *Section 4, act of May 2, 1919 (P.L.106), entitled "An act to carry out the provisions of section eight, article nine of the Constitution of the State of Pennsylvania, as amended, and, for that purpose, prescribing the method of determining the amount which may be deducted in ascertaining the borrowing capacity of the city of Philadelphia by excluding from the calculation, and deducting from its indebtedness, so much of the debt of said city as shall have been incurred and the proceeds thereof invested in any public improvements of any character which shall be yielding to the said city an annual current net revenue."*

(29) *Section 4, act of May 21, 1921 (P.L.1054), entitled "An act to carry out the provisions of section eight, article nine of the Constitution of the State of Pennsylvania, as amended, and, for that purpose, prescribing the method of determining the amount which may be deducted in ascertaining the borrowing capacity of the city of Philadelphia by excluding from the calculation, and deducting from its indebtedness, so much of the debt of said city as shall have been incurred, or is about to be incurred, and the proceeds thereof expended or about to be expended, upon any public improvement or in the construction, purchase, or condemnation of any public utility, or part thereof or facility therefor, if such public improvement or public utility, or part thereof, whether separately or in connection with any other public improvement or public utility, or part thereof, may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking-fund charges thereon."*

(30) *Section 1, act of March 5, 1925 (P.L.23), entitled "An act in relation to the procedure in certain classes of cases in which there is raised a question as to the jurisdiction of a court of first instance over the defendant or the cause of action for which suit is brought; and authorizing appeals from the preliminary decision of such questions."*

(31) *Section 15, act of April 25, 1927 (P.L.381), entitled "An act concerning arbitration, and to make valid and enforceable written provisions and agreements for the arbitration of disputes in certain contracts, including contracts to which the State or any municipal subdivision thereof may be a party; regulating the procedure under such provisions and agreements; and conferring certain powers and imposing certain duties upon the courts with reference thereto."*

(32) *Section 6, act of May 3, 1927 (P.L.508), entitled "An act authorizing cities of the first class to condemn, enter upon, take, appropriate, occupy, and use street railway transit facilities and properties used and useful in connection with the transportation of passengers by street, underground, or elevated railway, motor bus, taxicabs, or trackless trolley, principally within such cities, and the franchises and leases for operating the same; providing the procedure therefor and for the determination by the Public Service Commission, subject to appeal, and subject to the right of trial by jury, of the amount*

of compensation to be paid for the properties, facilities, and franchises so taken; providing for the obtaining of the assent of the electors thereto and for the deduction from the indebtedness of such cities, in calculating their borrowing power, of such sum as may be required to be borrowed for said purposes; and empowering such cities to operate, maintain, use, lease, license, or contract for the operation of the facilities and property so acquired."

(33) Sections 504, 1004 and 1104, act of April 9, 1929 (P.L.343), known as "The Fiscal Code."

(34) Subsection (d) of section 10, act of May 1, 1929 (P.L.1216), known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine."

(35) Subsection (d) of section 7 and section 12, act of May 21, 1931 (P.L.149), known as "The Liquid Fuels Tax Act."

(36) Clause (g) of section 4, act of May 5, 1933 (P.L.284), known as the "Malt Beverage Tax ¹ Law."

(37) Clause (d) of section 5, act of December 5, 1933 (P.L.38), known as the "Spiritous and Vinous Liquor Tax Law."

(38) Section 3, act of July 2, 1935 (P.L.589), entitled, as amended, "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers and imposing duties on the Secretary of Agriculture; and otherwise providing for the administration of the act; and imposing penalties."

(39) Section 12, act of April 8, 1937 (P.L.262), known as the "Consumer Discount Company Act."

(40) Sections 901 and 902, act of April 28, 1937 (P.L.417), known as the "Milk Marketing Law."

(41) Section 15, act of June 2, 1937 (P.L.1198), known as the "Labor Anti-Injunction Act."

(42) Section 976, act of June 3, 1937 (P.L.1333), known as the "Pennsylvania Election Code."

(43) Section 6, act of June 27, 1939 (P.L.1207), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal, and reinstatement of employes (except chiefs and chief clerks) in bureaus of fire and fire alarm operators and fire box inspectors in bureaus of electricity, in cities of the second class; defining the powers and duties of Civil Service Commissions for such purpose in said cities; and repealing inconsistent legislation."

(44) Subsection (g) of section 205 and section 306, act of June 25, 1941 (P.L.159), known as the "Municipal Borrowing Law."

(45) Section 7, act of April 27, 1945 (P.L.321), known as "The Veterinary Law."

¹"Laws" in original.

(46) Section 18.3, act of May 31, 1945 (P.L.1198), reenacted and amended August 8, 1963 (P.L.623) known as the "Bituminous Coal Open Pit Mining Conservation Act."

(47) Subsection (a) of section 1132, act of March 10, 1949 (P.L.30), known as the "Public School Code of 1949."

(48) Section 773, act of August 10, 1951 (P.L.1163), known as the "Orphans' Court Act of 1951."

(49) Subsection (d) of section 7, act of January 14, 1952 (P.L.1965), known as the "Fuel Use Tax Act."

(50) Section 1935, act of July 28, 1953 (P.L.723), known as the "Second Class County Code."

(51) Section 1735, act of August 9, 1955 (P.L.323), known as "The County Code."

(52) Subsection (i) of section 502, act of November 30, 1955 (P.L.756), known as the "Gas Operations Well-Drilling Petroleum and Coal Mining Act."

(53) Sections 544 and 555, act of March 6, 1956 (P.L.1228), known as the "Tax Act of 1963 for Education."

(54) Subsection (b) of section 819, act of April 29, 1959 (P.L.58), known as "The Vehicle Code."

(55) Section 123, act of July 17, 1961 (P.L.659), known as the "Pennsylvania Bituminous Coal Mine Act."

(56) Section 7, act of September 20, 1961 (P.L.1548), known as the "Credit Union Act."

(57) Section 21, act of September 29, 1961 (P.L.1745), known as "The Auctioneers' License Act."

(58) Subsection (e) of section 12, act of September 1, 1965 (P.L.436), known as the "Pennsylvania Commercial Feed Law of 1966."

(59) Section 128, act of November 10, 1965 (P.L.721), known as the "Pennsylvania Anthracite Coal Mine Act."

(h) The specific repeals effected by clauses (8) through (181) of subsection (a) and subsection (g) of this section are intended to conform the acts of the General Assembly therein cited to the provisions of existing law as established by this act. Nothing in clauses (8) through (181) of subsection (a) and subsection (g) of this section is intended to affect the right of appeal as provided by section 9 of Article V of the Constitution of Pennsylvania.

(i) Except where such an appeal is already provided under any unrepealed act of the General Assembly heretofore enacted, there shall be a right of appeal under this subsection from a final order of a court of record in a matter to an appellate court as provided by section 9 of Article V of the Constitution of Pennsylvania. The aforesaid appeal shall be taken to the appellate court having jurisdiction of such matter under this act.

(j) The repeal by clauses (8) through (181) of subsection (a) and

subsection (g) of this section of any procedural provisions relating to the taking of an appeal from a final order of an administrative agency in a matter to an appellate court shall not be construed as limiting or denying the right to take such an appeal and unless otherwise provided by any unrepealed act of the General Assembly heretofore enacted such an appeal may be taken as provided by the Administrative Agency Law or the Local Agency Law, as the case may be.

(k) Sections 301 and 302, act of July 28, 1953 (P.L.723), known as the "Second Class County Code," are hereby repealed in so far as such provisions vest jurisdiction and powers in the Superior Court and such jurisdiction and powers are hereby vested in the Commonwealth Court.

(l) Sections 301 and 302, act of August 9, 1955 (P.L.323), known as "The County Code," are hereby repealed in so far as such provisions vest jurisdiction and powers in the Superior Court and such jurisdiction and powers are hereby vested in the Commonwealth Court.

(m) All other parts of those acts which are specified in this section or in section 508 of this act and all other acts and parts of acts are hereby repealed in so far as they vest jurisdiction and powers in courts in any manner inconsistent with this act, provide for a time for appeal to an appellate court which is other than the time expressly provided in section 502 of this act, provide appeal procedures inconsistent with this act, or are otherwise in any manner inconsistent with this act.

Section 3. This act shall take effect immediately and shall be retroactive to the effective date of the Appellate Court Jurisdiction Act of 1970.

APPROVED—The 3rd day of June, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 6.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth.