

treatment of all types of mental diseases, instead of an asylum for the chronic insane, be, and the same is hereby, ratified, and confirmed; and said Wernersville State Hospital is hereby declared to have become, and to be, an institution for the care and treatment of the indigent insane.

Treatment of indigent insane.

APPROVED—The 5th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 15.

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.

Section 1. Be it enacted, &c., That wherever in any proceeding at law or in equity the question of jurisdiction over the defendant or of the cause of action for which suit is brought is raised in the court of first instance, it shall be preliminarily determined by the court upon the pleadings or with depositions, as the case may require; and the decision may be appealed to the Supreme Court or the Superior Court, as in cases of final judgments.

Jurisdiction over defendant.

Determined by court.

Appeal.

Section 2. All such preliminary questions shall be raised by petition setting forth the facts relied upon, whereupon a rule to show cause shall be granted, and such preliminary question disposed of by the court. Such procedure shall be deemed de bene esse only and shall not operate as a general appearance.

Petition.

Rule to show cause.

Section 3. The appeal here provided for must be taken and perfected within fifteen days from the date when the decision is rendered; shall be made returnable on the third Monday after it is taken; and shall be placed by the appellate court at the head of its argument list for civil cases to be heard at the earliest date consistent with its rules governing the presentation of appeals: Provided, That as to decision made prior to the approval of this act, the fifteen days limitation shall not begin to run until after the date of its approval. A failure to appeal within the time specified will be deemed a waiver of all objections to jurisdiction over the defendant personally.

Time for appeal.

Provide.

Section 4. The right of appeal here conferred is not intended to cover questions of jurisdiction which go to the form of the action alone as between law

Right of appeal construed.

and equity, such as provided for in the Act of June seven, one thousand nine hundred and seven (Pamphlet Laws, four hundred and forty).

APPROVED—The 5th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 16.

### AN ACT

Authorizing the issue and sale of bonds to the amount of fifty millions of dollars by the Commonwealth of Pennsylvania; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer, in relation thereto; making an appropriation of the proceeds of such bonds for the purpose of improving and rebuilding the highways of the Commonwealth; providing for the payment of the interest on, and the redemption of, such bonds by the Board of Finance and Revenue, and for the sale and registration of said bonds; and making an appropriation to carry out the provisions of this act.

#### POWER TO BORROW MONEY.

Section 1. Be it enacted, &c., That in accordance with the provisions of section four, Article nine of the Constitution of the Commonwealth of Pennsylvania, as amended the sixth day of November, one thousand nine hundred twenty-three, the Governor, the Auditor General, and the State Treasurer, on behalf of the Commonwealth of Pennsylvania, are hereby authorized and directed to borrow, on the credit of the Commonwealth of Pennsylvania, for the purpose of improving and rebuilding the highways of the Commonwealth, the sum of fifty millions of dollars, as follows: On the first day of April, one thousand nine hundred and twenty-five, the sum of twenty million dollars (\$20,000,000); on the first day of August, one thousand nine hundred and twenty-five, the sum of twenty million dollars (\$20,000,000); and on the first day of May, one thousand nine hundred and twenty-six, the sum of ten million dollars (\$10,000,000): Provided, however, That if the Governor, the Auditor General, and the State Treasurer shall unanimously agree that it is inadvisable to borrow the amounts mentioned on the dates specified, or any part thereof, they may postpone borrowing the said amounts, or any part thereof, for a period not exceeding six (6) months from the date, or dates, herein specified. The said sum, or fifty million dollars (\$50,000,000), to be borrowed under the provisions of this act shall be in addition to any moneys heretofore borrowed under the provisions of the act of April eighteenth, one thousand nine hundred and nineteen (Pamphlet Laws, sixty-two), entitled "An act authorizing the issue and