

dresses of some of them, then service upon the persons in possession of the property, or posting in default thereof, and service as above set forth upon those who can be served, and [two returns] a return of nihil habet as to the rest of those named in the writ, shall constitute a full service of such writ.

Provided, however, That nothing herein contained shall in any wise alter or affect the practice and manner of service upon the original covenantor, provided by the first section of the act, approved April eighth, one thousand eight hundred and forty, nor shall anything herein contained in any wise alter or affect the ancient practice of service upon the original mortgagor by two returns of nihil habet, *except that hereafter one return of said writ shall have the same force and effect, as to service, as two returns heretofore.*

Section 4. That clause twelfth of section one of said act is hereby amended to read as follows:

Twelfth. The writ of scire facias to revive a judgment, in any of the classes of cases mentioned in sections ten and eleven of this act, shall be served as is provided for the original scire facias therein, unless personal service was made upon the defendants in the original proceeding, in which event [two returns] a return of nihil habet to the writs to revive shall be equivalent to personal service upon the defendants.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

No. 47

### AN ACT

To validate acts done and contracts, conveyances, transfers, and mortgages of property made, to or by any corporation of the first class, created or intended to be created by decree of the courts of common pleas, granting a charter, where the applicants for incorporation had failed to register its proposed name as required by law; and to validate charters of corporations of the first class, granted since the sixteenth day of May, one thousand nine hundred and twenty-three, where there was a failure to register the name or title of the proposed corporation at the time of filing its application for a charter as required by law; providing for the subsequent filing of such registration; and providing for the amendment of names or titles of such corporations in certain cases.

Section 1. Be it enacted, &c., That where heretofore any act has been done, or contract, transfer, conveyance or mortgage of any property, been made, to or by any corporation of the first class, after the granting of a charter by decree of any court of common pleas of this

Return of nihil habet.

Proviso.

Original covenantor.

Original mortgagor.

Return of nihil habet.

Clause twelve, section 1, amended.

Scire facias to revive.

Return of nihil habet.

Corporations of first class.

Commonwealth, where the applicants for incorporation had failed to register with the Secretary of the Commonwealth its proposed name and address, prior to the granting of such charter as required by the provisions of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred forty-six), entitled "An act to provide for the registration and protection of names, titles, or designations of associations, societies, orders, foundations, federations, organizations, and corporations of the first class," all such acts, contracts, transfers, conveyances and mortgages shall be deemed and taken to be valid and effectual for all purposes as if the name of the corporation has been registered as required by law: Provided, This act shall not apply to cases now in litigation.

Validation of  
acts prior to  
registration.

Proviso.

Validation of  
charters.

Section 2. That all charters of incorporation, or supplements and amendments thereto, heretofore granted by any of the courts of common pleas of this Commonwealth to applicants for incorporation who failed to register with the Secretary of the Commonwealth the name and address of the proposed corporation, at the time of filing their applications for a charter, as required by the provisions of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred forty-six), entitled "An act to provide for the registration and protection of names, titles, or designations of associations, societies, orders, foundations, federations, organizations, and corporations of the first class," shall be and hereby are validated and confirmed, so that said charters shall have the same force and legal effect as if the applicants for incorporation had complied with all the requirements of law relative to the registration of their proposed names and addresses: Provided, however, That any corporation, before deriving the benefits of this section, shall file in the office of the Secretary of the Commonwealth, within one year after the approval of this act, an application for registration of the name and address of such corporation, setting forth the date of its incorporation, and, if the name of such corporation does not conflict with any other name, title or designation duly registered according to law, it shall be registered, and a certificate of such registration shall be filed with the records of the court which granted the charter, and such registration shall have the same force and effect as though made at the time or times required by law: Provided also, That in the event the name of such corporation is similar to or so nearly resembling the name, title or designation of any association, society, order, foundation, federation, organization or corporation duly registered according to law, it cannot be properly regis-

Proviso.

Application for  
registration.

Proviso.

Name.

tered or used by the corporation, and such prior registration is not withdrawn by such other association, society, order, foundation, federation, organization or corporation, such corporation shall be entitled to have its name or title amended, by application to the court of common pleas which granted the charter, in the manner now provided by law for the amendment of a charter, and a decree granting a change of name of such corporation, where the new name or title has been duly registered as required by law, shall have the effect to validate, confirm, and create such association as a corporation, in deed and in law, with full force and effect as if said association had originally complied with all the requirements of law as to registration of its proposed name and title.

Amendment of  
charter.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 48

AN ACT

To amend section twenty-two of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred seven), 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," providing that one return nihil habet of a writ of scire facias to revive shall have the same effect as two returns.

Section 1. Be it enacted, &c., That section twenty-two of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred seven), 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,

Municipal liens.

Section 22, act  
of May 16, 1929  
(P. L. 207),  
amended.