

established and exist in the county wherein such city is located; and, so soon as any jail and/or workhouse is erected and prepared for the reception of prisoners, it shall be the duty of said inspectors to take charge of same, and, if they deem it advisable, they may remove or cause to be removed thereto any or all persons who may then be confined in any prison or jail under their control, there to be kept, treated and governed according to such rules and regulations as the said inspectors, with the approbation of the proper court or courts of said county, may, from time to time, ordain and establish: Provided, always, That the same be not inconsistent with or contrary to the constitution and laws of this Commonwealth and the provisions of this act.

Removal of prisoners.

Proviso.

Section 6. Said inspectors shall exercise all the functions, perform all the duties, and have all the powers over any jail and/or workhouse erected under the provisions of this act and over all the inmates and employes therein and thereof as they now exercise, perform, and have over the present jails and prisons, inmates, and employes under their charge. They shall appoint superintendents, matrons, wardens, physicians, keepers, clerks and other employes, and fix their salaries and compensation.

Powers and duties of inspectors.

Appointment of employes.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 91

AN ACT

To amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-one), entitled "An act regulating the satisfaction of mortgages, when payment of the same has been made in full, and the mortgagee or legal holder or holders thereof have failed to enter satisfaction upon record," by including the equitable holder or holders of mortgages, providing that the petition for satisfaction may be made by any party in interest, and further regulating the procedure for such satisfaction.

Section 1. Be it enacted, &c., That the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-one), entitled "An act regulating the satisfaction of mortgages, when payment of the same has been made in full, and the mortgagee or legal holder or holders thereof have failed to enter satisfaction upon record," is hereby amended to read as follows:

Mortgages.

Act of June 11, 1879 (P. L. 141), amended.

Section 1. Be it enacted, &c., That in all cases where payment has been made of all the money or amount due or to become due [in] on any mortgage, and the legal

Satisfaction where legal or equitable holder fails to enter same on record.

*or equitable holder or holders thereof, or of any interest therein, have failed from any cause whatever to enter satisfaction upon the record of the same, and shall so continue for six months after payment thereof, in such case the mortgagor or mortgagors, his, her or their legal representatives, or the owner or owners of the mortgaged premises, or any or either of them, or any party in interest or any party that may be affected by the failure to so satisfy said mortgage, may petition the court of common pleas where the mortgaged premises are situate, setting forth the premises; whereupon the said court shall direct the sheriff of said county to serve, [a notice, stating the facts set forth in the petition, on the legal representative or representatives,] upon the legal holder or holders of said mortgage and upon the equitable holder or holders thereof, if any are known, who has or have failed to enter satisfaction of record, if to be found in the county, a copy of the petition and a notice requiring said parties to appear at a day certain, not less than fifteen days after service, and answer said petition; and in case the parties cannot be found in the said county, then the sheriff shall [give public notice] publish a notice, briefly setting forth the contents of said petition and requiring the parties to appear and answer as aforesaid, in [one or more newspapers] a newspaper of general circulation published within [or nearest to the] said county, once a week for [four] three weeks successively prior to the [then next term after the petition has been presented, requiring the said parties to appear at the next term and answer the petition aforesaid; at which term, or any subsequent term, the said] return day: Provided, That as to all parties who cannot be found within the county, a copy of said petition and notice shall be sent by registered mail to their last known address in addition to the service by advertisement as herein provided; whereupon the court, on due proof being made that the full amount [for which the said mortgage was given has been paid, are] due upon said mortgage has been paid, is hereby authorized and required to decree and direct that satisfaction shall be entered upon the record thereof, by the recorder of the proper county, in payment of the costs due relative to such proceedings and to the entry of [said mortgage, or any proceedings thereon] such satisfaction; which said satisfaction, so entered, shall forever discharge, defeat and release the [same] said mortgage, and shall likewise bar all actions brought or to be brought thereon, as fully and effectually, to all intents and purposes, as if the satisfaction had been entered by the legal and equitable holder or holders of the said mortgage. But if either of the parties shall desire any matter of fact that is affirmed by one and denied by the other to be tried by a jury, an issue shall be formed, and the same shall be tried ac-*

Petition.

Service by registered mail.

Publication.

Service by registered mail.

Satisfaction.

Jury trial.

cordingly, and if the jury shall find that the full amount [for which the] *due upon* said mortgage [was given] has been paid, then satisfaction shall be entered on the record as aforesaid. *But* [and] in all cases where the legal or equitable holder or holders of such mortgage, or of any interest therein, at the time of such payment shall have been a building and loan association, or other corporation, whose existence in law has terminated or become doubtful, or whose affairs have been wound up, a copy of the petition and [the] notice required by this act shall be served on either the president or treasurer last in office [in] of said association or corporation, if he is to be found in the county, otherwise [public] notice [shall be given in one or more newspapers within or nearest to the county,] *by advertisement shall be given* in the manner aforesaid.

Service where building and loan association has terminated.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Repeal.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 92

AN ACT

Authorizing school districts, with the assent of the electors duly obtained at an election, to use moneys borrowed, or authorized to be borrowed, for purposes which have proved impracticable or impossible, for any other lawful municipal purpose.

Section 1. Be it enacted, &c., That whenever any school district has increased its indebtedness, with the assent of the electors of such school district, in accordance with the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (Pamphlet Laws, sixty-five), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and the purpose for which said increase was asked and assent obtained has proved to be impracticable or impossible, the board of directors of any such school district may, by a resolution, signify a desire to use the money so borrowed or authorized to be borrowed for any other lawful school district purpose; and the said moneys so borrowed, or authorized to be borrowed, may be used for such other purpose, if the assent of the electors thereto is obtained as herein provided.

School districts.

Increase of indebtedness under act of April 20, 1874 (P. L. 65).

Use of moneys for other purpose with consent of electors.

Section 2. The board of directors of any such school district shall give notice during at least thirty days, by

Notice of election.