

construct flumes which would relieve flooding or hazardous conditions caused by mine water, and to extinguish fires in abandoned coal mines and in culm banks, in those instances where such work is in the interest of the public welfare.

\* \* \*

APPROVED—The 13th day of October, A. D. 1965.

WILLIAM W. SCRANTON

---

No. 310

AN ACT

SB 1084

Authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Public Welfare, to convey 29.173 acres, more or less, of land situate in the Township of Upper St. Clair, Allegheny County, to the School District of the Township of Upper St. Clair.

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

Section 1. The Department of Property and Supplies, with the approval of the Governor and the Secretary of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania, to convey to the School District of the Township of Upper St. Clair for a consideration of one dollar (\$1), the following described tract of land situate in the Township of Upper St. Clair, County of Allegheny, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point in the center line of Morton Road, said point being the northwesterly corner of property now or late of F. Thompson; thence along said center line of said Morton Road south 1 degree 7 minutes east, a distance of 1,143.83 feet to a point; thence through property of the Commonwealth of Pennsylvania south 88 degrees 53 minutes west 995.02 feet to a point; thence continuing through property of the Commonwealth of Pennsylvania north 1 degree 7 minutes west, a distance of 1,451.53 feet to a point on the line of property now or late of E. G. Underhill; thence along said line of said property of E. G. Underhill, south 68 degrees 10 minutes 30 seconds east a distance of 388.75 feet to a point; thence continuing along said line of property of E. G. Underhill and through the right-of-way of Morrow Road, south 77 degrees 20 minutes 30 seconds east, a distance of 655.88 feet to a

point in the center line of Morton Road, being the place of beginning, containing 29.173 acres.

Being part of the same property conveyed inter alia, to the City of Pittsburgh by deeds of Jacob Snyder and Christine Snyder, his wife, dated June 20, 1913, and recorded in the Recorder's Office of Allegheny County in Deed Book Vol. 1774, Page 237; Margaret Irene Loeffler and George O. Loeffler, her husband, et al., heirs of Alfred McKown, deceased, dated July 12, 1913, and recorded in Deed Book Vol. 1758, Page 249; John C. Morrow and Ester A. Morrow, his wife, dated May 16, 1914, recorded in Deed Book Vol. 1814, Page 224. And also being the same property, inter alia, expropriated by the Commonwealth of Pennsylvania by act of Assembly of 1938, Special Session, September 29, (P. L. 53)<sup>1</sup>, as amended.

The conveyance shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, gas or pipe line companies, as well as under and subject to any estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Section 3. Section 1, act of September 29, 1938 (P. L. 53), reenacted and amended by section 1 of the act of May 25, 1945 (P. L. 1074), entitled, <sup>2</sup>as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, in-

<sup>1</sup>"1943" in original.

<sup>2</sup>"as amended" not in original.

stitution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," is repealed to the extent it is inconsistent with this act.

All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 4. This act shall take effect immediately.

APPROVED—The 13th day of October, A. D. 1965.

WILLIAM W. SCRANTON

---

No. 311

AN ACT

HB 1359

Amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," changing the basis for determining liability of parents for maintenance of mentally defective and epileptic patients.

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

Section 1. Subsection (a) of section 726, act of June 12, 1951 (P. L. 533), known as "The Mental Health Act of 1951," amended December 10, 1959 (P. L. 1743), is amended to read:

Section 726. Mental Defectives and Epileptics in Schools.—(a) No superintendent of any school shall accept an application for the admission of any mental defective or epileptic until the Department of Revenue has fixed the amount, if any, to be paid, by the patient and by the parents of the patient for the maintenance of the patient. The amount to be paid by the patient shall be fixed according to the value of his estate. The amount to be paid by the parent of the patient shall be fixed according to the ability of the parent to pay, taking into consideration the income of the parent, the number of other persons supported by the parent and the other financial obligations of the parent. Agreement to pay the amount so fixed shall be required as a condition to the admission or detention of the patient. The amount may be changed from time to time by the Department of Revenue upon its receiving