

panying the same, to the lien of a subsequent mortgage or mortgages, and the bond or bonds accompanying the same, on the same mortgaged premises, by an agreement in writing with the mortgagor or with the subsequent mortgagee or mortgagees or any other person in interest, duly acknowledged before a proper officer authorized by the State of Pennsylvania to take acknowledgments; which said agreement for the postponement of lien of mortgage and bond accompanying the same shall be recorded in the office of the recorder of deeds in the county where the mortgaged premises lie, and, if the said mortgaged premises lie in more than one county, then in the recorder of deeds office in all the counties in which said mortgaged premises lie, the recording of which shall be notice to all persons of the facts therein contained.

Agreement to be recorded.

Repeal.

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 All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 268

AN ACT

Permitting townships of the first and second classes to connect for sewage purposes with existing sewers owned by adjacent municipalities, and prescribing the procedure for so doing.

Townships.

Connecting with existing sewers in adjoining municipalities.

Section 1. Be it enacted, &c., That whenever any township of the first or second classes shall desire to connect with the existing sewer of any adjacent municipality, the two municipalities so joining may enter into an agreement for such purposes, or, if no agreement has been reached between such township and the adjacent municipality, then such township shall proceed in the following manner:

Procedure in absence of agreement.

An application shall be made by the board of commissioners or the board of supervisors, as the case may be, to the court of quarter sessions, setting forth the desire of the township to connect with the sewer of the municipality. If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer, it shall appoint three viewers, who shall view the premises, and investigate the facts of the case, and shall assess the proportionate part of the expense of building the original sewer upon the petitioning township, and shall fix the proportion of the expense for repairs which the municipality and such township shall thereafter bear, and determine all other questions which are likely to arise in connection therewith.

Duties of viewers.

Report of viewers.

Section 2. The viewers shall report to the court the result of their investigation, which report shall be con-

firmed within thirty days, unless exceptions thereto are filed. After confirmation of such report, or the disposal of any exceptions, any party interested may appeal from the decision of the court of quarter sessions to the Superior Court.

Section 3. No sewer, system of sewers, or drain shall be constructed under the provisions hereof, unless a resolution of the board of commissioners or board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks. If within twenty days after the last publication, or at any time during the period of publication, taxpayers of the township, whose property valuation is assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township, shall sign, and file in the office of the prothonotary of the court of common pleas of the county in which the township is located, a written protest against the construction of such sewer, sewer system, or drain, then the construction authorized by such resolution shall not be undertaken or proceeded with.

Publication of resolution.

Protest by taxpayers.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 269

AN ACT

To amend clause ten, section three, article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein, and repealing, consolidating, and extending existing laws in relation thereto," as amended.

Section 1. Be it enacted, &c., That clause ten, section three, article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," which was amended by section ten of the act, approved the twenty-seventh day of May, one thousand nine hundred and nineteen (Pamphlet Laws, three hundred and ten), entitled "An act to amend and revise an act, entitled 'An act providing for the incorporation, regulation, and

Cities of third class.

Clause 10, section 3, Article V of act of June 27, 1913 (P. L. 568), as amended by act of May 27, 1919 (P. L. 310), further amended.