

payment shall become delinquent if not paid on or before the thirty-first day of January.

The discount, as provided under section four, shall be allowed to the taxable on his first quarterly payment only, provided the same shall be paid on or before the thirtieth day of April. Upon default in the payment of any quarterly installment, the entire unpaid balance shall thereupon become due and owing by the taxable, and said unpaid balance shall bear the same penalties and interest charges as is hereinbefore provided.

Section 2. All acts and parts of acts, general, local or special, inconsistent herewith are hereby repealed.

Inconsistent acts repealed.

Section 3. This bill shall become effective January 1, 1938.

When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 582

### AN ACT

Authorizing and empowering any city, county, school district, or other municipality which shall have acquired a limited title to real estate for municipal purposes, to secure a title in fee simple to any such real estate; and providing and regulating the procedure in such cases.

Section 1. Be it enacted, &c., That any city, county, school district, or other municipality shall have power, in the method herein prescribed, to acquire title in fee simple to any real estate to which such municipality shall have previously acquired a lesser estate in any manner; provided that such real estate shall have been used or held for a public purpose for a period of not less than ten years.

Power to acquire title in fee simple where previously acquired lesser estate.

Proviso.

Section 2. The proper authorities of such municipality are authorized and empowered, by ordinance or resolution, to declare its intention to acquire a fee simple title in such real estate, which ordinance or resolution shall indicate such real estate with reasonable accuracy. Upon the adoption of passage of such ordinance or resolution, it shall be advertised once in two newspapers of general circulation and in the legal periodical within the county wherein the real estate is situated. Such advertisement shall include a brief description of the real estate, the manner and date or approximate date of original acquisition, if known, and the name or names of the owner or owners of such real estate at the time of its original acquisition for municipal purposes, if known. Upon the completion of such advertisement, a certified copy of the ordinance or

Municipality by ordinance or resolution declares intention to acquire the fee simple title.

Advertisement once in two newspapers of general circulation and in the legal periodical within the county.

Contents of advertisement.

Certified copy of ordinance or resolution and proofs of publication recorded in office of recorder of deeds of the county.

Persons having interest adversely affected, petition court of common pleas within six years of date of vesting of fee simple in municipality.

Notice by the court to persons interested.

Court appoints board of view.

Award.

Report.

Exceptions or appeal within 30 days after report of board of view filed.

Proviso.

Inconsistent acts repealed.

resolution and proofs of publication shall be lodged for record in the office of the recorder of deeds in and for the county in which the real estate is situated, and the title of the municipality in and to such real estate shall thereupon become an absolute title in fee simple.

Section 3. Any person claiming a reversionary or other interest in and to such property, or any part thereof, may, within six years of the date of such vesting of title in fee simple in the municipality, petition the court of common pleas of the county in which said real estate is situated, setting forth in such petition the chain of title whereby his claim arises, together with the names and addresses of all persons so far as they are known to him whose interests may be affected, and with a reference to the record of all deeds, wills, intestacies, court proceedings, or other muniments of title tending to prove or substantiate his claim. The court shall cause notice to be given to all persons so named, and hear such testimony as may be required to determine the proportionate interest, if any, of such claimant and such other persons, and shall appoint a board of view to hear testimony, to determine the value, if any, of the entire unacquired interest in said real estate, and to award to petitioner or other persons appearing entitled thereto, his or their proportionate parts or shares of such amount. Either claimant, or other such person, or the municipality shall have the right to file exceptions or to appeal, with a right of trial by jury, as in other cases, within thirty days from the filing of the report of the board of view; and any other person claiming an interest in such real estate may, by leave of the court, intervene in the proceedings at any time prior to a final determination of the proceedings: Provided, however, That a final determination, as hereinabove provided for, shall be conclusive of the matters so determined: upon any subsequent\* And provided, further, that the valuation of any such property shall be based upon its condition and worth as of the time that the municipality perfected its fee simple title, as hereinabove provided, and that if the municipality shall have sold such real estate, either at public or private sale, prior to such determination, the price or sum received at such sale shall be prima facie evidence of the value of such real estate or such part thereof as may have been so sold, with due allowance for improvements or other changes of condition between the time when the municipality perfected its title as aforesaid and the time of such sale.

Section 4. All acts or parts of acts inconsistent herewith are hereby repealed.

\*So in the original.

Section 5. This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 583

AN ACT

To amend section one, as amended, and sections two and three of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (Pamphlet Laws, one hundred twenty-nine), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," requiring cities to make certain appropriations to the police retirement fund, increasing the maximum payments by members, and generally clarifying the provisions of said act.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (Pamphlet Laws, one hundred twenty-nine), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," as amended by the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-two), is hereby further amended to read as follows:

Section 1. Be it enacted, &c., That the several cities of this Commonwealth, incorporated by general or special laws, shall establish by ordinance a police [pension] *retirement* fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three *and one-half* per centum of the pay of such member *and by annual appropriations made by the city*, which fund shall be under the direction of councils or [committee] *committed* to the direction of such officers of the city as may be designated by councils, and applied under such regulations as councils may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service, but such *retirement* allowances as shall be made to those who are retired by reason of the disabilities [of] *or* age shall be in conformity with a uniform scale.

Section 1, act of May 24, 1893 (P. L. 129), as amended by the act of May 2, 1929 (P. L. 1272), further amended.

Cities may establish.

Monthly charge.

How applied.