

all bonus, taxes and charges due to the Commonwealth and the return for cancellation of the corporation's certificate of authority or the filing of proof that it has been lost or destroyed, the Department of State upon payment of the filing fee shall cancel the certificate of authority, if any, and shall issue to the corporation or its representative a certificate of withdrawal. Upon the issuance of the certificate of withdrawal, the authority of the corporation to do business within this Commonwealth shall cease and determine. The issuance of such certificate shall not affect any action pending at the time thereof or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate. Process against the corporation in any action upon any liability or obligation incurred within this Commonwealth before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 398

AN ACT

To validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

To quiet title.

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

Sales of lands and buildings by boards of school directors at public auction without proper publication or notice and the purchase price being paid, all deeds given and conveyances made, are validated.

Section 1. Whenever any board of school directors shall have heretofore sold any unused and unnecessary lands and buildings by public auction, the sale of which by public auction is authorized under the provisions of the school laws of the Commonwealth, and such board of school directors has received the purchase price, then such sale shall be valid and binding on the school district, and all deeds or conveyances given by the school district for any such lands and buildings are hereby ratified, confirmed and validated, and such purchasers and their respective heirs, successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the school districts therein, notwithstanding the fact that the notice of the public auction was not published in the legal newspaper in the county, or by posting of handbills, nor over the exact period of time prescribed by law in one or more newspapers of general circulation published within the county or the school district, and notwithstanding the fact that the terms and

conditions of said sales were not fixed by the board of school directors in the motion or resolution authorizing said sales: Provided, That notice of such public auctions was published in one or more newspapers of general circulation published within the county or the school district for at least three times before the date fixed for said sales, each time being in a different week, and providing that the terms and conditions of said sales were fixed by the board of school directors prior to the holding of such sales, and providing also that all the other requirements of law concerning the authorization, advertising and holding of such sale have been complied with.

Proviso.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 399

AN ACT

Amending the act of May 31, 1945 (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing penalties," changing penalties in regards to certain actions relating to registration and furnishing of bonds.

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

Bituminous Coal Open Pit Mining Conservation Act.

Section 1. Section 16, act of May 31, 1945 (P. L. 1198), known as the "Bituminous Coal Open Pit Mining Conservation Act," amended May 10, 1956 (P. L. 1562), is amended to read:

Section 16, act of May 31, 1945, P. L. 1198, amended May 10, 1956, P. L. 1562, further amended.

Section 16. Except as provided in section four of this act, any operator who proceeds to mine bituminous coal by the open pit mining method without having received a registration certificate, as herein provided, or who proceeds to mine bituminous coal by the open pit mining method without securing an amended registration certificate, or who fails to register and secure a new registration certificate, as herein provided, or who proceeds to mine bituminous coal by the open pit mining method without having furnished the proper bond, as herein provided, or who has intentionally filed false information in the application for a registration certificate, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine of *not less than five hundred dollars (\$500.00) or not exceeding five thousand dollars (\$5000.00), or imprisonment in the county jail for a period not exceeding three months, or both.*

Mining bituminous coal by open pit mining without registration.