

said point being approximately nine hundred and seventy-five feet east of the center line of Woodhaven Road; thence southwardly curving to the left by a radius of three hundred and forty-four feet three and one-eighth inches a distance of three hundred feet four and seven-eighth inches to a point.

Conditions.

The grant 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 executed thereon.

Approval and execution.

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.

Disposition of proceeds.

Section 3. All moneys received from the grant shall be deposited in the General Fund.

Act effective immediately.

Section 4. This act shall take effect immediately.

APPROVED—The 22nd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 478

AN ACT

Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," further providing for change in classification of counties upon change in population.

The County Code.

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

Section 211, act of August 9, 1955, P. L. 323, amended.

Section 1. Section 211, act of August 9, 1955 (P. L. 323), known as "The County Code," is amended to read:

Section 211. Ascertainment, Certification and Effect of Change of Class.—(a) The classification of counties shall be ascertained and fixed according to their population by reference from time to time to the [last preceding] decennial United States census *as hereinafter provided*, deducting therefrom the number of persons residing on any lands that have been ceded to the United States.

(b) Whenever it shall appear by any such census that any county has attained a population entitling it to an

advance in classification, or *whenever it shall appear by the last two preceding censuses* that a county has heretofore or hereafter decreased in population so as to recede in classification, as herein prescribed, it shall be the duty of the Governor, under the great seal of this Commonwealth, to certify that fact accordingly, to the board of county commissioners on or before the first day of October of the year succeeding that in which the census was taken or as soon thereafter as may be, which certificate shall be forwarded by the commissioners to the recorder of deeds and be recorded in his office.

It is the intent of this section that the classification of any county shall not be changed because its population has decreased at the time of one United States decennial census, because it is recognized that a change in the form of local government is attended by certain expense and hardship, and such change should not be occasioned by a temporary fluctuation in population, but rather only after it is demonstrated by two censuses that the population of a county has remained below the minimum figure of its class for at least a decade.

(c) Changes of class ascertained and certified as aforesaid shall become effective on the first day of January next following the year in which the change was so certified by the Governor to the county commissioners but the salaries of county officers shall not thereby be increased or decreased during the term for which they shall have been elected. In the municipal election following such certification of change of class and preceding the effective date of such change, the proper number of persons shall be elected to fill any elective office which will exist in the county by the change of classification certified. No election shall be held for any office which will be abolished as a result of such change of classification.

APPROVED—The 22nd day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 479

AN ACT

Authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds and subsequent transfers of equal sums between such funds, and making appropriations necessary to effect such transfers.

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