

county in this State that he has filed, in the office of said prothonotary, his affidavit, setting forth that he is a bona fide owner in his own right of all the goods, wares, and merchandise which he proposes to hawk, peddle, and vend, and that he will not engage to sell the same for any other person or persons whatever, and that he will not sell, or attempt to sell, the labeled artificial flowers of the American Legion, Veterans of Foreign Wars, Spanish American War Veterans, Italian American War Veterans of the United States, Incorporated, Disabled American Veterans of the World War, *Veterans of World War I of the U. S. A., Inc.*, and the American Veterans of World War II (AMVETS), namely the poppy, carnation, and buddy poppy, the forget-me-not, the white clover, and the daisy, and that he will not sell, or offer to sell, miniature American flags: And provided further, That the aforesaid certificate or proof of compensation, together with such person's discharge from the military or naval service, or an exemplified copy thereof, shall be full and conclusive evidence of such person's rights to the benefits of this act. The prothonotary, issuing such certificate, shall require the applicant to furnish two photographs of the applicant, each bearing the signature of the applicant. One photograph shall be filed with the application, the other shall be attached to the certificate, when issued.

Proviso.

Photographs required.

The use of such certificate by anyone, other than the applicant, shall nullify such certificate, and shall nullify the privileges, under this act, of the applicant permitting such measure.

Use of certificate by anyone other than applicant prohibited.

Any person who shall peddle contrary to the provisions of this act, or in violation of the affidavit which he made to obtain such license shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not more than fifty dollars (\$50), and in default of the payment of such fine and costs shall be sentenced to imprisonment for a term of ten (10) days.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON

No. 65

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor and the Adjutant General, to exchange real property situate in the Borough of Phoenixville, County of Chester, known as the Main Street Armory and the Morgan Street Armory, for other property also situate in the Borough of Phoenixville.

Real property.

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

Department of Property and Supplies, with approval of Governor and Adjutant General, authorized to convey certain land in Borough of Phoenixville, Chester County.

Section 1. The Department of Property and Supplies, with the approval of the Governor and the Adjutant General, is hereby authorized on behalf of the Commonwealth of Pennsylvania to convey to the Borough of Phoenixville, Chester County, in consideration of the conveyance by the said borough to the Commonwealth of a tract of land consisting of 20.013 acres, more or less, being part of the same premises which John White and Elsie White, husband and wife, conveyed to the Burgess and Town Council of the Borough of Phoenixville by deed, dated May 8, 1926, and recorded in Chester County Deed Docket E-17, Volume 204, page 133, the following described tracts of land situate in the Borough of Phoenixville, County of Chester and Commonwealth of Pennsylvania:

Tract No. 1.

**Description
Tract No. 1.**

All that certain lot or piece of ground, with buildings and improvements thereon erected, situate in the second ward of the Borough of Phoenixville aforesaid, and which said lot is designated as Lot No. 7 on a draft of town lots laid out by then Reeves Buck and Co., addition of town lots to then Village of Phoenixville, bounded and described as follows: On the northern side by Lot No. 6, lands now or late of Joseph W. Porter estate; on the western side by Main Street, which said street is laid out 60 feet wide; on the southern side by Lot No. 8, now other lands now or late of said David MacFeat; and on the eastern side by Jackson Street, which said street is laid out 35 feet wide. Being 50 feet wide in front on said Main Street and extending of that width in length or depth eastward between parallel lines, 211.5 feet to Jackson Street, containing 10,575 square feet of land, more or less, having erected thereon a building now or formerly used for armory purposes, known as the Main Street Armory, and other improvements.

And being the same land conveyed to the Commonwealth of Pennsylvania by deed dated April 15, 1908, of David R. MacFeat and Ellie J. MacFeat, husband and wife, as recorded in Chester County Deed Book L-13, Volume 308, page 409, on April 28, 1908.

Tract No. 2.

Parcel A.

**Description
Tract No. 2**

All that certain lot or piece of ground, with the buildings and improvements thereon erected, situate in the south ward of the Borough of Phoenixville, in the

County of Chester and Commonwealth of Pennsylvania, bounded and described according to a revised draft made by N. M. Ellis, in September, 1883, of town lots laid out by Joseph and J. B. Morgan, Executors of John Morgan estate, is marked Lots Nos. 43 and 44 on said draft and are bounded and described as follows: On the northern side by Morgan Street, which said street is laid out 48 feet wide; on the eastern side by an alley 15 feet wide; on the southern side by Lot No. 45; and on the western side by Buchanan Street, which said latter street is laid out 50 feet wide. Being 47½ feet in front on said Buchanan Street and extending back of said width by parallel lines for the distance of 135 feet to the said 15 foot wide alley way, containing 6,412½ square feet of land, more or less.

And being the same land conveyed to Commonwealth of Pennsylvania by deed dated October 24, 1912, of the Griffen Battery Armory Association as recorded in Chester County Deed Book F-13, Volume 303, page 554, on November 4, 1912.

Parcel B.

All those two certain lots or pieces of ground situate in the third ward of the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania, laid down and described on a plot or survey of certain portions of the real estate of John Morgan, deceased, made by N. M. Ellis, C. E., in the month of September, 1883. Being Lots Nos. 45 and 46 on said plot or survey, bounded westward by Buchanan Street; northward by Lot No. 44; eastward by a 15 foot wide alley called Battery Street; southward by Lot No. 47; being each 23.75 feet in front on Buchanan Street and extending eastward between parallel lines 135 feet to the said 15 foot wide alley, called Battery Street.

And being the same land conveyed to Commonwealth of Pennsylvania by E. Miltimore Morgan, widower, by deed dated October 8, 1908, and recorded in Chester County Deed Book S-12, Volume 290, page 380, on December 16, 1908.

Parcel C.

All those two certain lots or pieces of ground situate in the third ward of the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania, laid down and described on a plot or survey of certain portions of real estate of John Morgan, deceased, made by N. M. Ellis, C. E., in the month of September, 1883. Being Lots Nos. 47 and 48 on said plot or survey, bounded westward by Buchanan Street; northward by

Lot No. 46; eastward by a 15 foot wide alley called Battery Street; and southward by Lot No. 49; being each 23.75 feet in front on the said Buchanan Street, and extending eastward between parallel lines 135 feet to the said 15 foot wide alley called Battery Street.

And being the same land conveyed to Commonwealth of Pennsylvania by deed of Samuel W. Frescoln and Emma M. Frescoln, husband and wife, by deed dated August 25, 1908, and recorded in Chester County Deed Book S-12, Volume 290, page 381, on December 16, 1908.

Parcel D.

All those certain lots or pieces of ground situate in the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania, being Lots Nos. 49 and 50, according to plot or survey of real estate of John Morgan, deceased, made by N. M. Ellis, Civil Engineer, September, 1883, bounded and described as follows, to wit: On the west by Buchanan Street; on the north by Lot No. 48, now or late of the property of Frescoln; on the east by a 15 foot wide alley and on the south by a proposed alley; being each 23.75 feet front on Buchanan Street, making a total of 47½ feet, more or less, and extending in length or depth eastward between parallel lines 135 feet to the aforesaid 15 foot wide alley.

And being the same land conveyed to Commonwealth of Pennsylvania by deed of Ida Benner Kurtz, widow of Clarence M. Kurtz, deceased, et al., dated June 14, 1928, and recorded in Chester County Deed Book G-17, Volume 404, page 560, on July 12, 1928.

Parcel E.

All their estate, right, title and interest, property claim and demand, whatsoever of, in and to the soil of a certain 15 foot wide alley, called Battery Street, situate in the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania. And also all the estate, right, title and interest, property claim and demand whatsoever of the said parties of the first part respectively of, in and to the estate, right, title and interest of Sarah Kurtz (formerly Sarah Morgan), widow of Samuel Kurtz, of, in and to the soil of the said 15 foot wide alley, called Battery Street, to the end and extent that the said 15 foot wide alley, called Battery Street, shall be vacated and closed up, and that the soil thereof shall vest in the abutting owners to the middle thereof as their interests respectively may appear.

The soil of the said 15 foot wide alley, called Battery Street, being part of a large lot or piece of ground of

which John Morgan, late of the Borough of Phoenixville aforesaid, died seised.

And being the same land conveyed to Commonwealth of Pennsylvania by deed of Mary M. Coffin, formerly Mary Morgan, widow et al., dated October 15, 1908, and recorded in Chester County Deed Book S-13, Volume 315, page 502, on February 17, 1910.

Parcel F.

All their estate, right, title and interest, property claim and demand, whatsoever of, in and to the soil of a certain 15 foot wide alley, called Battery Street, situate in the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania, to the end and intent that the said 15 foot wide alley, called Battery Street, shall be vacated and closed up, and that the soil thereof shall vest in the abutting owners to the middle thereof as their interests, respectively, may appear.

The soil of the said 15 foot wide *alley, called Battery Street, being part of a large lot or piece of ground of which John Morgan, late of the Borough of Phoenixville, died seised.

And being the same land conveyed to Commonwealth of Pennsylvania by deed of Samuel L. Kurtz and Sarah M. Kurtz, husband and wife, dated November 18, 1908, and recorded in Chester County Deed Book S-13, Volume 315, page 114, on December 16, 1908.

Parcel G.

All those two certain lots or pieces of ground situate in the third ward of the Borough of Phoenixville, in the County of Chester and Commonwealth of Pennsylvania, laid down and described on a plot or survey of certain portions of the real estate of John Morgan, deceased, made by N. M. Ellis, C. E., in the month of September, 1883. Being Lots Nos. 79 and 80 on said plot or survey, bounded northward by Morgan Street; eastward by Lot No. 78; southward by Gold Street and westward by a 15 foot wide alley, called Battery Street; being each 25.16 feet in front on said Morgan Street and extending southward between parallel lines 190 feet to Gold Street.

And being the same land conveyed to Commonwealth of Pennsylvania by deed of Mordecai L. Evans and Martha G. Evans, husband and wife, dated October 3, 1908, and recorded in Chester County Deed Book O-13, Volume 311, page 109, on December 16, 1908.

* "valley" in original.

Restrictions.

The conveyance shall be made under and subject, nevertheless, 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, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

The conveyance shall also be made under and subject to any reservation set forth in the aforementioned deeds to the Commonwealth.

Approval and execution of deed.

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

Acceptance.

Section 3. The Armory Board, acting through the Department of Military Affairs, after approval by the Department of Justice, is hereby authorized to accept the conveyance of the Borough of Phoenixville.

Act effective immediately.

Section 4. This act shall take effect immediately.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON

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No. 66

AN ACT

Amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," making an editorial correction

Second Class County Code.

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

Section 2627, act of July 28, 1953, P. L. 723, amended.

Section 1. Section 2627, act of July 28, 1953 (P. L. 723), known as the "Second Class County Code," is amended to read:

Section 2627. [Title to Vest] *All Claims Satisfied Upon Payment of Award.*—Upon payment of the compensation for land or property in accordance with the order of distribution, all claims for compensation shall be deemed paid and satisfied.

APPROVED—The 6th day of June, A. D. 1963.

WILLIAM W. SCRANTON