

respective contiguous districts in the county of Schuylkill," are hereby repealed.

Section 5. All other acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

APPROVED—The 10th day of May, A. D. 1921.

WM. C. SPROUL.

No. 219.

AN ACT

To amend section one of an act, entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners, at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," approved the twenty-eighth day of June, one thousand nine hundred and seventeen (Pamphlet Laws, page six hundred forty-five).

Section 1. Be it enacted, &c., That the first section of an act, approved the twenty-eighth day of June, one thousand nine hundred and seventeen, entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners, at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," which reads as follows:—

Businesses conducted under assumed names.

"Section 1. Be it enacted, &c., That no individual or individuals shall hereafter carry on or conduct any business in this Commonwealth, under any assumed or fictitious name, style, or designation, unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary, to be entered in a book to be provided for that purpose, a certificate, under oath, and signed by such person or persons, setting forth the real name or names and addresses of all the persons owning or interested in said business, and also the name, style, or designation under which said business is being or will be carried on or conducted. Where any of the owners of said business live outside of the Commonwealth of Pennsylvania, and carry on or conduct any such business through an agent, such certificate shall also show the name and address of such agent," be amended to read as follows:—

Section 1, act of June 28, 1917 (P. L. 645), cited for amendment.

Filing of certificate.

Section 1. That no individual or individuals shall hereafter carry on or conduct any business in this Commonwealth, under any assumed or fictitious name, style, or designation, unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary, to be entered in a book to be provided for that purpose, a certificate, under oath, and signed by such person or persons, setting forth the real name or names and addresses of all the persons owning or interested in said business, and also the name, style, or designation under which said business is being or will be carried on or conducted.

Foreign owners.

Where any of the owners of said business live outside of the Commonwealth of Pennsylvania, and carry on or conduct any such business through an agent, such certificate shall also show the name and address of such agent: *Provided, That the failure of any such person or persons to file the certificates aforesaid in the office of the Secretary of the Commonwealth or in the office of the prothonotary shall not impair or affect the validity of any contract with such person or persons, and actions or proceedings at law or in equity may be instituted and maintained on any such contract, but no such action shall be instituted or recovery had by any such person or persons on any such contract, either expressed or implied, in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof, until such person or persons comply with the provisions of this act: And provided further, Before any such person or persons can institute any action, in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof, on any cause of action arising prior to the filing of the certificate provided for in this section, such person or persons shall pay to the Secretary of the Commonwealth for the use of the Commonwealth a license fee or fine of twenty-five (\$25.00) dollars. This act shall apply to all actions pending at the date of the passage of this act: Provided, That the plaintiff in any such suit shall pay all costs accrued prior to compliance with the provisions of this act: Provided, That this act shall not apply to any cases adjudicated at the date of the passage of this act.*

Proviso.

Validity of contracts.

Proceedings at law.

Fine.

To what cases applicable.

APPROVED—The 10th day of May, A. D. 1921.

WM. C. SPROUL.