

Indebtedness.

Section 6. The county commissioners of every county establishing a hospital under the provisions of this act may incur or increase the indebtedness of the county, to an amount sufficient to pay the cost of purchasing a site and of constructing and equipping the hospital, by issuing coupon bonds at a rate of interest not exceeding six per centum (6%) and payable within thirty (30) years from the date of issue.

Bonds.

The county commissioners shall levy an annual tax in an amount necessary to pay the interest and sinking fund charges on such bonds.

Tax.

Section 7. The county commissioners shall levy an annual tax sufficient for the support of such hospital, which, when collected, shall be paid into the county treasury, and such moneys shall be paid from the county treasury by warrant of the county commissioners, after itemized vouchers have been furnished by the board of trustees.

Reports.

Section 8. There shall be an annual report made to the county commissioners and the State Department of Health in accordance with the form prescribed by the Commissioner of Health, who shall, by authorized agent, visit and inspect hospitals established under the provisions of this act.

APPROVED—The 20th day of May, A. D. 1921.

WM. C. SPROUL.

No. 333.

AN ACT

To amend section twenty-two of an act, approved the second day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws, sixty-six), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that the traverse to a finding of escheat in certain cases only shall be certified to the court of common pleas.

Escheats.

Section 1. Be it enacted, &c., That section twenty-two of an act, approved the second day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws, sixty-six), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," which reads as follows:—

"Section 22. That any person or persons interested, or claiming to be interested, in any property, real or personal, which shall be found to have escheated to the Commonwealth, who have had no actual notice by citation, advertisement, or otherwise of the pendency of any proceedings in escheat, prior to the conclusion of the audit of the account of the person having the escheated property in his possession, and who shall not have subsequently appeared either in person or by attorney in said escheat proceedings, may at any time

Section 22, act
May 2, 1889
(P. L. 66), cited
for amendment.

within three years next after the filing of the final adjudication or finding in escheat, or the absolute confirmation thereof, traverse the same under oath or affirmation, by writing filed in the court finding the same, setting forth his, her, or their interest in said property, and in what particular said finding or adjudication is not true and correct, which said traverse shall be tried in the court of common pleas of the same county in which the original proceedings have been instituted, or where the proceedings have been instituted in the Supreme Court in the court of common pleas of such county as said Supreme Court may designate. And where said escheat proceedings have not been instituted in the court of common pleas, the courts wherein they have been instituted shall certify the finding or adjudication of escheat and the traverse thereof, to the proper court of common pleas for trial. And said traverse shall be tried in like manner and form, and with like effect, as traverses of inquisitions in escheat have been heretofore commonly tried under existing laws. And a writ of error shall lie in such case to the Supreme Court at the suit of any traverser or of the Commonwealth. And upon the determination of such traverse, the court trying the same shall, if necessary, certify the final result thereof to the court in which the original proceedings have been instituted, and in case upon the trial of said traverse, it shall be found that the property in question or any part thereof had not escheated, and that the person or persons filing said traverse are entitled to the same, or any part thereof; then and in such case, said person or persons shall be entitled to receive and to have delivered to them possession of all such property, real or personal, as shall not have been sold or paid into the treasury of the Commonwealth; and in case the same has been sold or paid into the treasury of the Commonwealth, to receive back again from the Commonwealth such sum or sums of money, as may have been realized from the sale or payment thereof, after deducting all expenses, or a proportionable part of said sum or sums, according as his or their interest shall be made to appear: Provided nevertheless, That if at the time of the institution of the proceedings in escheat as aforesaid, any person having any claim to any of the property, real or personal, found to have escheated shall be insane or a minor, then and in such case, said person, whether he has had actual notice of the pendency of the proceedings in escheat or not, may, if he has not appeared in said proceedings by his committee or guardian or by the attorney of such committee or guardian, at any time within three years after recovering his sound mind and memory, or attaining full age, as the case may be, traverse the said finding or adjudication of escheat,

in like manner and form, and with like force and effect, as is hereinbefore provided," be, and the same is hereby, amended so as to read:—

Traverse of
adjudication.

Section 22. That any person or persons interested, or claiming to be interested, in any property, real or personal, which shall be found to have escheated to the Commonwealth, who have had no actual notice, by citation, advertisement, or otherwise, of the pendency of any proceedings in escheat, prior to the conclusion of the audit of the account of the person having the escheated property in his possession, and who shall not have subsequently appeared, either in person or by attorney, in said escheat proceedings may, at any time within three years next after the filing of the final adjudication or finding in escheat or the absolute confirmation thereof, traverse the same, under oath or affirmation, by writing filed in the court finding the same, setting forth his, her, or their interest in said property, and in what particular said finding or adjudication is not true and correct, which said traverse shall be tried in the court of common pleas of the same county in which the original proceedings have been instituted, or, where the proceedings have been instituted in the Supreme Court, in the court of common pleas of such county as said Supreme Court may designate. And where said escheat proceedings have not been instituted in the court of common pleas, the courts wherein they have been instituted shall certify the finding or adjudication of escheat and the traverse thereof to the proper court of common pleas for trial. And said traverse shall be tried in like manner and form, and with like effect, as traverses of inquisition in escheat have been heretofore commonly tried under existing laws: *Provided, however, That before such traverse is certified by the orphans' court to the court of common pleas, the orphans' court shall grant a preliminary hearing to such traverser or traversers, and thereafter the traverse shall not be certified to the court of common pleas, unless the evidence of relationship is such that, if believed by a jury, would justify the court in sustaining a verdict in favor of the traverser.* And a writ of error shall lie in such case to the Supreme Court at the suit of any traverser or of the Commonwealth. And, upon the determination of such traverse, the court trying the same shall, if necessary, certify the final result thereof to the court in which the original proceedings have been instituted; and, in case upon the trial of said traverse it shall be found that the property in question or any part thereof had not escheated, and that the person or persons filing said traverse are entitled to the same, or any part thereof, then and in such case, said person or persons shall be entitled to receive and

Trial of traverse.

Certification of
traverse by
orphans' court to
court of common
pleas.

Writ of error.

Certification of
trial court.

to have delivered to them possession of all such property, real or personal, as shall not have been sold or paid into the treasury of the Commonwealth; and, in case the same has been sold or paid into the treasury of the Commonwealth, to receive back again from the Commonwealth such sum or sums of money as may have been realized from the sale or payment thereof, after deducting all expenses, or a proportionable part of said sum or sums, according as his or their interest shall be made to appear: Provided nevertheless. That, if at the time of the institution of the proceedings in escheat as aforesaid, any person having any claim to any of the property, real or personal, found to have escheated, shall be insane or a minor, then and in such case, said person, whether he has had actual notice of the pendency of the proceedings in escheat or not, may, if he has not appeared in said proceedings by his committee or guardian or by the attorney of such committee or guardian, at any time within three years after recovering his sound mind and memory or attaining full age, as the case may be, traverse the said finding or adjudication of escheat, in like manner and form, and with like force and effect, as is hereinbefore provided.

Delivery of property to owners.

Traverse in favor of minors or lunatics.

APPROVED—The 20th day of May, A. D. 1921.

WM. C. SPROUL.

No. 334.

AN ACT

Authorizing certain telephone companies and certain telephone and telegraph companies to acquire all or any part of the capital stock, franchises, property, rights, and credits of each other, and to purchase, lease, or otherwise acquire all or any part of the lines, systems, rights, privileges, municipal consents, and corporate franchises of each other.

Section 1. Be it enacted, &c., That, subject to the approval of the Public Service Commission or its successors in authority, any telephone corporation, formed under or which has accepted the provisions of the act, approved the twenty-second day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eleven hundred and twenty-three), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four; providing for the incorporation and regulation of telephone companies; defining the rights, powers, and privileges of such corporations; authorizing and regulating the purchase, acquisition, and leasing the whole or any part of the properties, systems, capital stock, and securities of other corporations, associations, and persons engaged in the tel-

Telephone and telegraph companies.

Companies operating under the act of 1919 may acquire stock, etc., of companies formed under the act of 1874.