

Both of the above lots being located in the fourteenth ward of the city of Allentown; lot twenty-eight (28) being designated as number 210 Halstead Street, and lot twenty-nine (29) being designated as number 212 Halstead Street. The deed for this conveyance shall be executed by the Secretary of Property and Supplies, and approved by the Governor.

When effective.

Section 2. This act shall become effective immediately upon its final enactment.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 425

AN ACT

Declaring certain rights, grants, and privileges in the beds of navigable waters, within and on the boundaries of this Commonwealth, void; vesting power in the Department of Forests and Waters, the Water and Power Resources Board, and the Pennsylvania State Park and Harbor Commission to revoke and declare void such rights, grants, and privileges, and providing the procedure in such cases.

Preamble.

WHEREAS, The recent floods have directed attention to the fact that unregulated encroachments and grants of land under navigable streams have so narrowed the flood carrying capacity of the waters of the Commonwealth as to endanger public security; and

WHEREAS, The land underlying such navigable waters is held by the Commonwealth in trust for the public generally, and all grants thereof heretofore made, however broadly worded, are to be held revocable whenever the public interests so require; therefore,

When rights, etc., voided.

Section 1. Be it enacted, &c., That any right, grant or privilege heretofore or hereafter granted or given, by the Commonwealth of Pennsylvania, in the bed of any navigable waters within or on the boundaries of this Commonwealth, is hereby declared void, whenever the same becomes or is deemed derogatory or inimical to the public interest, or fails to serve the best interests of the Commonwealth.

By whom determined.

Section 2. The Department of Forests and Waters, acting directly or through the Water and Power Resources Board, and, in the case of Lake Erie, by or through the Pennsylvania State Park and Harbor Commission, is hereby invested with power and jurisdiction to determine, as a fact, when any such right, grant or privilege has become, or is to be deemed, derogatory or inimical to the public interest, or fails to serve the best interests of the Commonwealth. Any such determination shall only be made after full hearing, of which the per-

son, firm or corporation, having or claiming the right, grant or privilege, shall have due notice and an opportunity to be heard. If, after such hearing, the Department of Forests and Waters, the Water and Power Resources Board or the State Park and Harbor Commission shall find and determine that any such right, grant or privilege is derogatory or inimical to the public interest, or fails to serve the best interests of the Commonwealth, such right, grant or privilege shall be deemed to be revoked, pursuant to section one hereof, and, upon service of the order of revocation in the manner in which a summons of the court of common pleas is served, the right, grant or privilege possessed in the bed of such navigable waters shall cease and terminate. Hearing.

Section 3. Within thirty days after the service of any findings, determination or order of revocation, in the manner hereinafter provided, any party, aggrieved by the findings or determination upon which such order of revocation is based, may appeal therefrom to the Superior Court. Appeal.

Section 4. This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 426

AN ACT

To amend section four of the act, approved the seventeenth day of March, one thousand eight hundred and sixty-nine (Pamphlet Laws, eight), entitled "An act relative to fraudulent debtors," fixing the time when the proceedings may continue in fraudulent debtor cases in the absence of personal service, residence or appearance.

Section 1. Be it enacted, &c., That section four of the act, approved the seventeenth day of March, one thousand eight hundred and sixty-nine (Pamphlet Laws, eight), entitled "An act relative to fraudulent debtors," is hereby amended to read as follows: Section 4,
act of
March 17,
1869 (P. L.
8, amended.

Section 4. In case of a personal service of said attachment upon the party defendant, or if he, she or they shall be residents of the county at the time the attachment was issued, or shall appear to the action, the court shall proceed in the case in like manner as in a case of summons for debt regularly issued and duly served; and in case there shall not be a personal service, residence or appearance as aforesaid, the plaintiff or plaintiffs may at [any time after the first day of the second term after] *and after forty-five days from the date of issuing said attachment proceed in like manner against*