

Section 16. Appropriations.—The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby specifically appropriated out of the General Fund to the State Soil Conservation Board for its use in administering the provisions of this act during the two fiscal years beginning June first, one thousand nine hundred thirty-seven and ending May thirty-first, one thousand nine hundred thirty-nine.

\$10,000 appropriated for biennium.

Section 17. Allocations to the Districts.—The State Soil Conservation Board shall make allocations from time to time, out of the moneys appropriated to it, among the several soil conservation districts organized in accordance with the provisions of this act, for the purposes provided in the act, on the basis of the number of acres affected by the ordinances and regulations of the district supervisors, or on any other equitable basis to be established by the board, and payments shall be made under such system of requisition and accounting as the Governor, Auditor General, and State Treasurer shall determine.

Allocations by State Soil Conservation Board to the districts for authorized expenditures.

The moneys so allocated to a district shall be available for expenditures in that district authorized by the provisions of this act, as the State Soil Conservation Board shall determine.

Section 18. Separability Clause.—If any provision of this act or the application of any provision to any person or circumstances is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Parts of this act invalidated shall not affect remainder of the act.

Section 19. Inconsistency with Other Acts.—In so far as any of the provisions of this act are inconsistent with the provisions of any other law the provisions of this act shall be controlling.

Where inconsistent with other laws this act controls.

Section 20. Effective Date.—This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 558

AN ACT

Providing for the service of process in civil actions on nonresident owners, tenants, or users, of real estate located within the Commonwealth of Pennsylvania, and the footways and curbs adjacent thereto, or any such resident of this Commonwealth who shall subsequently become a nonresident, and making the ownership, possession, occupancy, control, maintenance, and use of such real estate, footways, and curbs, the equivalent of the appointment of the Secretary of the Commonwealth of Pennsylvania as the agent of said nonresident, upon whom civil service may be served; and providing for further notice to the defendants in any such action.

**Action against nonresident defendants.**

Section 1. Be it enacted, &c., That, from and after the passage of this act, any nonresident of this Commonwealth being the owner, tenant, or user, of real estate located within the Commonwealth of Pennsylvania, and the footways and curbs adjacent thereto, or any such resident of this Commonwealth who shall subsequently become a nonresident, shall, by the ownership, possession, occupancy, control, maintenance, and use, of such real estate, footways, and curbs, make and constitute the Secretary of the Commonwealth of Pennsylvania his, her, its, or their agent for the service of process in any civil action or proceedings instituted in the courts of the Commonwealth of Pennsylvania against such owner, tenant, or user of such real estate, footways, and curbs, arising out of or by reason of any accident or injury occurring within the Commonwealth in which such real estate, footways, and curbs are involved.

**Secretary of the Commonwealth constituted agent for service of process.**

**Service of process.**

Section 2. Such process shall be served, by the officer to whom the same shall be directed, upon the Secretary of the Commonwealth of Pennsylvania, by sending by registered mail, postage prepaid, at least fifteen (15) days before the return day of such process, a true and attested copy thereof, and by sending to the defendant, by registered mail, postage prepaid, a like true and attested copy, with an endorsement thereon of the service upon said Secretary of the Commonwealth, addressed to such defendant at his last known address. The registered mail return receipts of the Secretary of the Commonwealth and of such defendant shall be attached to and made a part of the return of service of such process.

**Fee paid to Secretary of the Commonwealth.**

Section 3. The officer serving such process upon the Secretary of the Commonwealth shall pay to said secretary, at the time of service, a fee of two dollars (\$2.00), which fee shall be taxed as costs in the case. The Secretary of the Commonwealth shall keep a record of each such process, and the day and hour of the service thereof upon him.

**Court may order continuances necessary to give defendant opportunity to appear and defend.**

Section 4. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to appear and defend the action.

**This act does not limit other provisions for service of process.**

Section 5. This act shall be construed to extend the right of service of process upon nonresidents, and upon residents who subsequently become nonresidents, and shall not be construed as limiting any provisions for the service of process now or hereafter existing.

**When effective.**

Section 6. This act shall become effective immediately upon final enactment.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE