

In cases where the respondent is a hopeless lunatic, or non compos mentis, the fact of lunacy of the respondent, and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation, shall be set forth in the petition or libel, and affidavit required by this section shall be taken by the petitioner.

In cases where the libellant is a minor, the libel shall be presented by a relative or next friend, and the affidavit thereto shall be taken by such minor libellant.

The court may allow any libel to be amended so as to include additional grounds or causes for divorce, including such as arose subsequent to the awarding of the subpoena. Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 13th day of April, A. D. 1943.

EDWARD MARTIN

No. 26

AN ACT

To further amend the third paragraph of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children.

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

Section 1. Paragraph three of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as last amended by the act, approved the

Act of May 18, 1911, P. L. 309, section 1413, paragraph 3, as last amended by act of June 24, 1939, P. L. 786, further amended.

twenty-fourth day of June, one thousand nine hundred and thirty-nine (Pamphlet Laws, seven hundred eighty-six), is hereby further amended to read as follows:

Section 1413. * * * *

Children reported as uneducable.

Any child who is reported by an approved mental clinic, or by a person who is certified as a public school psychologist or psychological examiner, as being uneducable in the public schools, may be reported by the board of school directors to the [Department of Welfare] *Superintendent of Public Instruction and when approved by him shall be certified to the Department of Welfare*, in accordance with regulations approved by the State Council of Education. After any such board shall have thus reported any child, it shall be relieved of the obligation of providing education for such child. The Department of Welfare shall thereupon arrange for the [education and training] *admission of such child at an appropriate institution for the training of mentally defective children, due consideration being given to the availability of space in such institution.*

APPROVED—The 13th day of April, A. D. 1943.

EDWARD MARTIN

No. 27

AN ACT

Authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements, or upon municipal assessments, liens whereof have been subsequently declared illegal and invalid.

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

Political subdivisions authorized to refund money, received for municipal improvements and upon certain municipal assessments, to persons or corporations paying the same erroneously or inadvertently.

Section 1. Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of a political subdivision, directly or* indirectly, any money for a municipal improvement for which a lien was threatened to be filed or was subsequently filed, under an assumption that such municipal assessment or lien was due and owing, when in fact such municipal assessment and/or lien or a part thereof was not due and owing to the political subdivision, or such municipal assessment or lien was not legal and valid at the time payment was made, or was subsequently declared illegal and invalid by a court of competent jurisdiction, then in such cases the corporate authorities of the political subdivision,

* "and" in original.