

hours of duty and service and also excepting in cases of riot, serious conflagration or other such emergency, as above provided.

APPROVED—The 29th day of September, A. D. 1951.

JOHN S. FINE

No. 403

AN ACT

To amend section 3 of the act, approved the fifteenth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 359), entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon; imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof; authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions; dispensing with sureties on such recognizances but providing for the acknowledgment, recording and indexing of same as liens on certain real estate; regulating such liens and releases therefrom; providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances; and repealing inconsistent laws, except as to existing claims or pending suits thereunder, subject to certain limitations," by fixing the time the lien of such recognizances shall run, including those heretofore executed.

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

Section 1. Section 3 of the act, approved the fifteenth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 359), entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon; imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof; authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions; dispensing with sureties on such recognizances but providing for the acknowledgment, recording and indexing of same as liens on certain real estate; regulating such liens and releases therefrom; providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances; and repealing inconsistent laws, except as to existing claims or pending suits thereunder, subject to certain limitations," is hereby amended to read as follows:

Sheriffs and
Coroners.

Section 3, act of
June 15, 1939,
P. L. 359,
amended.

Recognizance of sheriff and coroner.

Execution, acknowledgment and recording.

Transmittal to Secretary of Commonwealth.

Time the lien of such recognizances shall run, including those heretofore executed, fixed.

Secretary of Commonwealth to have custody of such recognizances.

Certificate of Secretary of Commonwealth to be competent evidence thereof in any judicial proceedings.

Recorder of deeds may also certify copies thereof.

Recording of recognizance in other counties to secure lien on real estate of sheriff or coroner situated therein.

Duties of recorder of deeds.

Section 3. Every sheriff, whether elected or appointed to fill a vacancy, not including any coroner temporarily acting as sheriff, and every coroner, before he is commissioned or executes any duties of his respective office, shall execute and duly acknowledge before the recorder of deeds of the proper county, a proper recognizance, without any surety, to the Commonwealth of Pennsylvania, for the faithful discharge of all his official duties in like amount as that of his official bond required by existing law, and in a form containing like conditions as such bond, which recognizance shall be immediately recorded in said county at the expense of said sheriff or coroner, and when so recorded, shall be transmitted to the Secretary of the Commonwealth, with said recorder's certificate endorsed thereon of its having been duly recorded, and with a reference to the place of record thereof. *Every such recognizance hereafter executed shall continue to be a lien on the real estate owned by the sheriff or coroner at the date of such acknowledgment, for a period of six years from that date. Every recognizance heretofore executed by any sheriff or coroner shall continue to be a lien on the real estate owned by the sheriff or coroner at the time the recognizance was dated, for a period of six years after that date, but in every case where the period of six years has already expired, the lien of such recognizance shall continue for a period of two years after the effective date of this amendment or to the end of the lien term fixed by law at the time the recognizance was executed, whichever date shall first occur.* The Secretary of the Commonwealth shall have and keep the custody of every such recognizance, and any copy thereof and of said endorsements certified to by said Secretary of the Commonwealth shall be competent evidence of the execution, delivery and recording thereof in any judicial proceedings, and may be relied upon by any public officer to the same extent as the original recognizance would be. The proper recorder of deeds may also certify copies of such recognizance and the time and place of record thereof for like purposes upon receipt of his proper fees therefor, according to existing laws. Such recognizance or any duly certified copy thereof may likewise be recorded and indexed like a judgment in any other county of this Commonwealth, by any person or public officer, upon payment of the usual fees to the recorder of deeds and prothonotary of such county respectively, for the purpose of creating a lien on any real estate of the sheriff or coroner obligated thereby lying in such other county. It shall be the duty of the recorder of deeds of the county for which a sheriff or coroner is elected or appointed, as soon as said sheriff or coroner is commis-

sioned, to certify the date, amount and place of record of his recognizance, with the name and address of said sheriff or coroner, to the prothonotary of said county, who shall enter such information upon his dockets and index the lien of such recognizance like a judgment obtained in the court of common pleas of said county. Every sheriff's or coroner's recognizance hereafter given shall inure to the benefit of any surety on his official bond entitled to subrogation to the rights of any person or corporation, including any county intended to be benefited thereby, injured by any official misconduct or neglect of the sheriff or coroner who executed such recognizance, to the extent of any payments by such surety for any damages for which such sheriff or coroner may be held to be liable in any suit or proceedings against such sheriff or coroner on his official bond or recognizance. And a similar right of subrogation may be enforced with respect to any such recognizance heretofore given, to the extent permitted by law or equity.

Right of
subrogation.

Section 2. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

Inconsistent acts
repealed.

APPROVED—The 29th day of September, A. D. 1951.

JOHN S. FINE

No. 404

AN ACT

To further amend subsection (g) of section 1110 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth.

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

Section 1. Subsection (g) of section 1110 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county

"Pennsylvania
Election Code."

Subsection (g) of
section 1110, act
of June 3, 1937.
P. L. 1333, as
amended by act
of April 24,
1947, P. L. 68,
further amended.