

Law," when the borough is located within the area for which the agency has been authorized to make application to and receive grants from the Department of Commerce for the purposes specified in the "Industrial Development Assistance Law." Such appropriations by any borough shall not exceed, in any one year, ten cents (10¢) for each inhabitant of the borough.

APPROVED—The 9th day of May, A. D. 1961.

DAVID L. LAWRENCE

No. 94

AN ACT

Repealing the act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; authorizing the commission to act in an advisory capacity in the allocation of funds; and making an appropriation."

Anthracite Mine
Drainage Study
Commission.

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

Repeal.

Section 1. The act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; authorizing the commission to act in an advisory capacity in the allocation of funds; and making an appropriation," reenacted and amended April 4, 1956 (P. L. 1389), is repealed.

APPROVED—The 9th day of May, A. D. 1961.

DAVID L. LAWRENCE

No. 95

AN ACT

Reenacting and amending the act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College, and making an appropriation," abolishing the right to acquire a certain tract of land, and authorizing the acquisition of certain additional tracts of land.

Real property.

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

Section 1. Sections 1, 2 and 3, act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College, and making an appropriation," are reenacted and amended to read:

Sections 1, 2 and 3, act of November 19, 1959, P. L. 1535, reenacted and amended.

Section 1. The Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Millersville State Teachers College, is hereby authorized to purchase, in the name of the Commonwealth of Pennsylvania, for use of the Millersville State Teachers College, any or all of the following tracts of land in the Borough of Millersville, County of Lancaster and Commonwealth of Pennsylvania, bounded and described as follows:

Department of Property and Supplies, with approval of Governor and Board of Trustees of Millersville State Teachers College, authorized to purchase certain land in Millersville Borough, Lancaster County.
Descriptions.

Tract No. 1. [All that certain lot or piece of ground situate on the West side of North George Street, in the Borough of Millersville, County of Lancaster and State of Pennsylvania, whereon is erected a double two-family, two and one-half story brick dwelling house, known as Nos. 205 and 207 on said North George Street, and frame barn, bounded and described as follows, to wit: Beginning at a point on the West side of said North George Street, a corner of land now or late of Martha A. Benar; thence extending along same South seventy-nine and one-quarter degrees West, five hundred and eighty-six feet to a point in line of land now or late of A. B. Kilheffer; thence extending along same North ten and three-quarter degrees West, eighty feet and six inches to a point, a corner of land now or late of Dr. A. B. Metzger; thence extending along same North seventy-nine and one-quarter degrees East, five hundred and eighty-six feet to the West side of said North George Street; thence extending along the West side of said North George Street, South ten and three-quarter degrees East, eighty feet and six inches to the place of beginning.

Being the same premises which Alice B. Keefer, Executrix of the last will and testament of John J. Bausman, by deed dated October 31, 1940, and recorded in the Recorder's Office in and for Lancaster County in Deed Book W, Volume 34, page 85, granted and conveyed unto Clyde V. Musselman and Pearl E. Musselman, his wife, the present owners.

Subject to the right of Martha A. Benar, her heirs and assigns, owners, tenants and occupiers of land adjoining the premises to be granted and conveyed on the South to the free and uninterrupted use, in common with the grantees, their successors and assigns, of the eleven foot wide common alley or driveway as now laid out over

the premises to be granted and conveyed along the southern boundary line of the premises to be granted and conveyed, the said alley or driveway extending westwardly from the west side of said North George Street to a depth of one hundred and forty feet.]

All that certain lot or piece of land having thereon erected a two and one-half story brick dwelling, known as No. 60 West Cottage Avenue, situated in the Borough of Millersville, County of Lancaster and State of Pennsylvania, more fully bounded and described in accordance with a survey thereof made by H. F. Huth, R. E., dated July, 1950, as follows, to wit:

Beginning at a stake on the South side of West Cottage Avenue (32 feet wide) at the Southeast intersection of said West Cottage Avenue and a twelve (12) feet wide alley, said stake being located a distance of one hundred sixty and one-tenth (160.1) feet East of Prince Street; thence extending along the South side of said West Cottage Avenue North seventy-eight (78) degrees twenty-seven (27) minutes East, a distance of one hundred ninety-nine and eight hundredths (199.08) feet to a stake, a corner of land, now or late of Millersville Lions Club, Inc.; thence extending along the same South nine (9) degrees forty-eight (48) minutes East, a distance of one hundred sixty-six and sixty-two hundredths (166.62) feet to a stake on line of land, now or late of Henry Heisey; thence extending along the same and along land, now or late of Lewis Burns, South seventy-nine (79) degrees fifty-three (53) minutes West, a distance of one hundred ninety-five and ninety-two hundredths (195.92) feet to a stake on the East side of said twelve (12) feet wide alley; thence extending along the East side of said twelve (12) feet wide alley North ten (10) degrees forty-seven (47) minutes West, a distance of one hundred sixty-one and fifty-eight hundredths (161.58) feet to a stake on the South side of West Cottage Avenue, the place of beginning.

Being part of Purpart No. 1 of the same premises which Hortense Lyons, Widow, Individually and as Executrix and Trustee named in the Last Will and Testament of Louis Lyons, Deceased, by her deed dated May 17, 1945, and recorded in the Office for the Recording of Deeds in and for Lancaster County in Deed Book H, Volume 37, page 301, granted and conveyed unto Kenneth H. McMillen and Ruth B. McMillen, his wife, in fee.

And the said Kenneth H. McMillen being so thereof seized died November 11, 1959, leaving to survive him the said Ruth B. McMillen in whom fee simple title to said premises vested as surviving tenant by the entireties.

*Together with the use, in common with others *entitled thereto, of the aforesaid twelve (12) feet wide alley adjoining the premises above described on the West.*

Tract No. 1A. All that certain lot or piece of land situated on the South side of West Cottage Avenue in the Borough of Millersville, County of Lancaster and State of Pennsylvania, more fully bounded and described in accordance with a survey thereof made by H. F. Huth, Registered Engineer, dated July, 1950, as follows, to wit:

Beginning at a stake on the South side of West Cottage Avenue (32 feet wide) a corner of land, now or late of Kenneth H. McMillen and Ruth B. McMillen, his wife; thence along the South side of West Cottage Avenue North seventy-eight (78) degrees twenty-seven (27) minutes East, a distance of one hundred thirty-five (135) feet to an "X" in a concrete retaining wall; thence extending along land, now or late of W. W. Brenneman, South nine (9) degrees forty-eight (48) minutes East, a distance of one hundred sixty-eight and thirty-three hundredths (168.33) feet to a stake; thence extending along land, now or late of said W. W. Brenneman, South seventy-eight (78) degrees twenty-seven (27) minutes West, a distance of sixty-seven (67) feet to a stake; thence extending along land, now or late of Henry Heisey, South seventy-nine (79) degrees fifty-three (53) minutes West, a distance of sixty-seven and ninety-eight hundredths (67.98) feet to a stake; thence extending along land, now or late of Kenneth H. McMillen and Ruth B. McMillen, his wife, North nine (9) degrees forty-eight (48) minutes West, a distance of one hundred sixty-six and sixty-two hundredths (166.62) feet to a stake the place of beginning.

Being the same premises which Earl B. Herr and Edward C. Goodhart, Jr., Trustees, and Clyde M. Ament, Succeeding Trustees, and Kenneth H. McMillen and Ruth B. McMillen, his wife, by their deed dated March 11, 1954, and recorded in the office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Deed Book I, Volume 43, page 537, granted and conveyed unto Millersville Lions Club, Inc., Grantor herein.

Tract No. 1B. All that certain lot or tract of land being situated in the rear of Nos. 222-224 North Prince Street in the Borough of Millersville, County of Lancaster and State of Pennsylvania, said tract being more fully bounded and described as follows, according to a survey prepared by H. F. Huth, Engineers, Inc., dated May 6, 1960:

Beginning at a stake in the Northerly line of land of the Millersville State Teachers College a corner of

* "entitles" in original.

land, now or late of Lloyd Good, said stake being located a distance of three hundred thirteen and fifty-three hundredths (313.53) feet East of the East property line of North Prince Street; thence extending by lands, now or late of Lloyd Good, Harold Barley, Eugene A. Dunlap and Edith N. Grebinger, respectively, North ten (10) degrees ten (10) minutes West, a distance of three hundred thirty-three and seventy hundredths (333.70) feet to a stake in line of lands, now or late of Kenneth H. McMillen; thence extending along the same North seventy-nine (79) degrees fifty-three (53) minutes East, a distance of one hundred twelve (112) feet to a stake a corner of lands, now or late of Henry E. Huber; thence extending along the same South ten (10) degrees ten (10) minutes East, a distance of three hundred thirty-three and forty-two hundredths (333.42) feet to a stake in the Northerly line of land of the said Millersville State Teachers College; thence extending along the same South seventy-nine (79) degrees forty-seven (47) minutes West, a distance of one hundred twelve (112) feet to the point and place of beginning, containing eight hundred fifty-seven thousandths (0.857) of an acre.

Being Purpart No. 2 of the same premises which Edith M. Grebinger, Widow, by deed dated December 2, 1958, and recorded in the office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, in Deed Book Y, Volume 46, page 256, granted and conveyed unto Alma L. Grebinger, Grantor herein, her heirs and assigns.

Tract No. 1C. All that certain lot or piece of land situated East of Prince Street and North of Frederick Street in the Borough of Millersville, County of Lancaster and Commonwealth of Pennsylvania, on which is erected a two and one-half story frame and concrete block factory building, bounded and described in accordance with a survey of Henry F. Huth, Registered Engineer, dated January, 1951, as follows:

Beginning at a stake one hundred fifty-nine (159) feet East of Prince Street and at the Northeast corner of the intersection of a twelve feet wide alley and an eight feet wide alley; thence along the eastern boundary line of said eight feet wide alley which adjoins the rear of lots of Phares Seachrist, Robert Myers and Rupert Williams, respectively, North eighteen (18) degrees forty-seven (47) minutes West, a distance of eighty-nine (89) feet to a stake in the eastern boundary line of said eight (8) feet wide alley and in line of land of Martin Lefever; thence along land of Martin Lefever North seventy (70) degrees forty-seven (47) minutes East, a distance of fifty-six (56) feet to a stake in line of land of Martin Lefever and the Western boundary line of a twelve (12) feet wide alley; thence along the Western boundary line

of said twelve (12) feet wide alley which adjoins land of Millersville State Teachers College South eighteen (18) degrees forty-seven (47) minutes East, a distance of seventy-nine (79) feet to a spike located on the Western boundary line of said twelve (12) feet wide alley; thence South twenty-six (26) degrees zero (0) minutes West, a distance of fourteen and twenty-hundredths (14.20) feet to a spike in the Northern boundary line of another twelve (12) feet wide alley which intersects the last mentioned alley at right angles; thence along the Northern boundary line of said twelve (12) feet wide alley South seventy (70) degrees forty-seven (47) minutes West, a distance of forty-six (46) feet to the place of beginning.

Being the same premises which Standard Garment Company by their deed, dated February 12, 1951, and recorded in the office of the Recorder of Deeds in and for Lancaster County in Deed Book E, Vol. 41, page 590, granted and conveyed to Singing Needles, Inc., Grantor herein.

Tract No. 1D. All that certain lot or piece of land situate on the South side of a twelve (12) feet wide common alley (directly South of other land of Kathryn J. Huss adjoining said twelve (12) feet wide common alley on the North) in the Borough of Millersville, County of Lancaster and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

Beginning at a stake on the South line of a twelve (12) feet wide common alley a corner of land, now of the Commonwealth of Pennsylvania; thence extending along land of the Commonwealth of Pennsylvania South nine (9) degrees East, a distance of one hundred fifty-six and twenty-nine hundredths (156.29) feet to a stake in line of land, now or late of Harry W. Hess; thence along land, now or late of Harry W. Hess and land, now or late of Martin Lefever and Elizabeth M. Lefever, his wife, South eighty-one (81) degrees West, a distance of fifty (50) feet to a stake a corner of land, now or late of Martin Lefever and Elizabeth M. Lefever, his wife; thence extending along land, now or late of Martin Lefever and Elizabeth M. Lefever, his wife, North nine (9) degrees West, a *distance of one hundred fifty-six and twenty-nine hundredths (156.29) feet to a stake on the South line of the aforementioned twelve (12) feet wide common alley; thence extending along the South side of said twelve (12) feet wide common alley North eighty-one (81) degrees East, a distance of fifty (50) feet to a stake, the place of beginning.

Being composed of the same premises which Lena M. Huss, single woman, by her deed dated October 10, 1946,

* "distanc" in original.

and which Martin Lefever and Elizabeth M. Lefever, his wife, by their deed dated October 10, 1946, and recorded in the Recorder's Office of Lancaster County, respectively, in Deed Book G, Volume 38, page 478, and in Deed Book G, Volume 38, page 479, granted and conveyed unto James W. Huss and Kathryn J. Huss, his wife, their heirs and assigns, and James W. Huss, one of the grantees in each of the above recited deeds, died September 5, 1955, leaving to survive him his wife, Kathryn J. Huss, the other of the grantees in each of the above recited deeds, whereby said premises became vested in fee simple in Kathryn J. Huss, her heirs and assigns.

The above described property is bounded and described in accordance with draft of survey made by J. Haines Shertzer, R. E., dated August 21, 1946.

Tract No. 2. Beginning at a post on the West Side of North George Street in said Borough; thence by the western edge of said road South 14 $\frac{2}{3}$ degrees East, 75.49 feet to property now or late of A. H. Metzgar; thence by said land now or late of A. H. Metzgar, South 75 degrees 20 minutes West, 187.5 feet to a point; thence by other tract of Anna R. Hess, deceased, North 14 degrees 45 minutes West, 75.49 feet to a point; thence by land now or late of William Deaner, North 75 degrees 20 minutes East, 187.5 feet to a post, the place of beginning. Having thereon erected a double-frame dwelling, frame barn and other improvements.

Tract No. 3. Beginning at a point, being the southwestern corner of other tract of **Anna R. Hess, deceased, which point is a distance of 187.5 feet South 75 degrees 20 minutes West from the West side of North George Street in line of land now or late of A. H. Metzgar; thence by land now or late of A. H. Metzgar, South 75 degrees 20 minutes West, 390 feet to a post; thence by land now or late of Frank Afflebach, North 14 degrees 45 minutes West, 75.49 feet to a post; thence by land now or late of William Deaner, North 75 degrees 20 minutes East, 390 feet to a point, being the northwest corner of other tract of Anna R. Hess, deceased; thence along the West side of other tract of Anna R. Hess, deceased, South 14 degrees 45 minutes East, 75.49 feet to a point, the place of beginning.

Tracts No. 2 and 3, being the same premises which Clyde H. Pretzman and Ruth R. Pretzman, husband and wife, by deed of indenture dated April 1, 1922, and recorded in the Recorder's Office in and for Lancaster County, Pennsylvania, in Deed Book I, Volume 25, page 395, granted and conveyed to Anna R. Hess, her heirs and assigns.

** "Ann" in original.

And the said Anna R. Hess, being seized of said premises, died on October 10, 1958, having previously made her last Will and Testament, which Will was duly probated after her death and Letters Testamentary on said Will were granted by the Register of Wills of Lancaster County, Pennsylvania, on October 24, 1958, to Elizabeth H. Siegler and Sarah H. Kurtz, the Executrices named in said Will, as more fully appears by reference to the proceedings in said estate to No. 892 of 1958.

Section 2. The land shall not be acquired until its title has been approved by the Department of Justice.

Title requires approval by Justice Department.
Appropriation.

Section 3. The sum of sixty-three thousand dollars (\$63,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses, including the completion of an abstract of title.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 9th day of May, A. D. 1961.

DAVID L. LAWRENCE

No. 96

AN ACT

Amending the act of May 28, 1915 (P. L. 587), entitled, as amended, "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation and possession of meat, meatfood products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," changing certain penalties and providing for license suspensions.

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

Public Health.

Section 1. Section 21, act of May 28, 1915 (P. L. 587), entitled, as amended, "An act to protect the public health by regulating and licensing the manufacture, preparation, handling, storage, sale, transportation and possession of meat, meatfood products and poultry; and prescribing the powers and duties of the Department of Agriculture incidental thereto," amended June 21, 1939 (P. L. 656), is amended to read:

Section 21, act of May 28, 1915, P. L. 587, amended June 21, 1939, P. L. 656, further amended.

Section 21. Any person who shall violate any of the provisions of this act or any rule, regulation, or order made pursuant to this act, shall for the first or second offense, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than [fifty

Violations.

First or second offense.