

by the several counties in printing official "Constitution Ballots" as authorized in this act, and for the payment of postage, telegraph, telephone, advertising, printing, and express charges, and all incidental and miscellaneous expenses lawfully incurred by the convention or its officers or the Secretary of the Commonwealth in carrying out the provisions of this act. All payments from this appropriation shall be made on the warrant of the Auditor General upon requisition of the president of the convention or of the Secretary of the Commonwealth, as the case may be.

Section 24. This act shall become effective immediately upon final enactment. When effective.

APPROVED—The 8th day of July, A. D. 1935.

GEORGE H. EARLE

No. 213

AN ACT

To amend clause (b) of section twenty-three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," as amended, extending the period for a surviving spouse to elect to take under or against a will, in case a will is contested.

Section 1. Be it enacted, &c., That clause (b) of section twenty-three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," as last amended by section one of the act, approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, six hundred forty-eight), is hereby further amended to read as follows:

(b) A surviving spouse electing to take under or against the will of the decedent, shall, in all cases, except where such surviving spouse is the sole legatee and beneficiary under the will, manifest the election by Election to take against a will.

a writing signed by him or her, duly acknowledged before an officer authorized by law to take the acknowledgment of deeds, and delivered to the executor or administrator of the estate of such decedent within one year after the issuance of letters testamentary or of administration. Neglect or refusal or failure to deliver such writing within said period shall be deemed an election to take under the will: *Provided, however, That in the event there is a contest of the will, an election by a surviving spouse may be made, as above provided, at any time within thirty days after the final adjudication of the contest, notwithstanding that the limitation of one year above provided has expired.*

Time.

Proviso.

APPROVED—The 8th day of July, A. D. 1935.

GEORGE H. EARLE

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No. 214

AN ACT

Validating adoptions in courts of record of the Commonwealth.

Validating certain adoption proceedings heretofore decreed.

Section 1. Be it enacted, &c., That any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting, or the person or persons adopted, was a nonresident or were nonresidents of this Commonwealth at the time such adoption was granted or decreed, or any adoption which was granted prior to the expiration of the full ten days required by the act of Assembly to intervene between the filing of the petition for the adoption and the hearing of such petition by the court, or any adoption which was granted without the formal entry of findings of fact is hereby declared valid and lawful as though made with full observance of all the requirements of the said act of Assembly mentioned: *Provided, That the petition and decree for such adoption was otherwise in accordance with the act of Assembly pertaining thereto.*

Proviso.

APPROVED—The 9th day of July, A. D. 1935.

GEORGE H. EARLE

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No. 215

AN ACT

Governing the payment of witness fees to Commonwealth witnesses in criminal proceedings and prohibiting duplicate payments.

Commonwealth witnesses' fees.

Section 1. Be it enacted, &c., That whenever under the laws of this Commonwealth the costs of prosecution