

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

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

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

in any criminal proceeding shall be payable by the county, with or without recourse, such costs shall include only one day's fees for each Commonwealth witness for each day he or she was in actual attendance in court under subpoena, regardless of the number of cases in which he or she may have been subpoenaed or appeared as a witness. In addition to the certification as to witnesses now required by the district attorney, each witness shall file a certificate before payment setting forth that he or she has not received pay or compensation for the same day or days in any other case.

Prohibiting duplicate payments.

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

GEORGE H. EARLE

No. 216

AN ACT

Authorizing the State Historical Commission to investigate and to report to the next session of the Legislature upon the area, boundaries, and dimensions of the Brandywine Battlefield of the Revolutionary War and to accept gifts or deeds of historic objects or of land connected therewith.

Whereas, The site of the Brandywine Battlefield is the only unmarked battlefield of the Revolutionary War in any of the original thirteen colonies; and

Preamble.

Whereas, The Brandywine Battlefield is the only battlefield of any war within this Commonwealth that is still unmarked and not yet officially recognized as to its major historical importance; therefore

Section 1. Be it enacted, &c., That the State Historical Commission be and is hereby authorized to investigate and to report to the next session of the Legislature as to the area, boundaries, and dimensions constituting the Brandywine Battlefield of the Revolutionary War.

State Historical Commission to report on Brandywine Battlefield.

Section 2. That the State Historical Commission be and is hereby authorized and empowered to accept gifts of historic objects connected with the said Battle of the Brandywine and, in particular, to accept gifts or deeds of land lying within the area of the said Brandywine Battlefield in conformity with the provisions of the act, approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and sixty-five), "An act providing for the establishment of the Pennsylvania Historical Commission," et cetera, and amendments and supplements thereto.

State Historical Commission empowered to accept gifts of historic objects and land.

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

GEORGE H. EARLE