

shall appear that a majority of the votes cast in [such townships or in] each of the townships affected are in favor of the [division of a township or the] consolidation of two or more townships, [as the case may be] the court shall order and decree the creation of the new township agreeably to the name and lines set forth in the petition, and the government of the new township shall be organized and become effective on the first Monday of January next succeeding such election, at which time the terms of office of township officers in such [township] *townships* shall cease and terminate. If a majority of the votes cast in any [such township or in any] of the townships affected are against the [division or] consolidation of such [township or] townships, no further action shall be had upon said proceedings. No new proceeding shall be entertained by the court for a period of two years.

Section 218. Classification of [Old and] New Townships.—Townships created by the consolidation [or division] of townships, as herein provided, shall be and remain townships of the first class, unless and until, by subsequent proceedings in accordance with laws relating to townships of the second class, any such township shall be reestablished or proclaimed to be a township of the second class.

Section 219. Costs.—When a township of the first class is created as hereinbefore provided, the costs of the proceedings shall be paid by such township, and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the [division or] consolidation of any such township, the costs of the proceedings shall be paid by the [petitioners] *townships proposed to be consolidated*.

Section 2. That section 220 of said act is hereby repealed.

APPROVED—The 29th day of April, A. D. 1937.

GEORGE H. EARLE

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No. 134

AN ACT

To amend sections forty and forty-seven of the act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, nineteen), entitled "An act relating to warehouse receipts," providing how warehouse receipts may be negotiated.

Warehouse  
receipts.

Section 1. Be it enacted, &c., That sections forty and forty-seven of the act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet

Laws, nineteen), entitled "An act relating to warehouse receipts," are hereby amended to read as follows:

Section 40. A negotiable receipt may be negotiated,—

Who may negotiate receipts.

a. By the owner thereof; or,

b. By any person [to whom the] *in* possession [or custody] of the receipt, [has been entrusted by the owner] *however such possession may have been acquired*, if by the terms of the receipt the warehouseman undertakes to deliver the goods to the order of [the] *such* person, [to whom the possession or custody of the receipt has been entrusted] or if, at the time of [such entrusting] *negotiation*, the receipt is in such form that it may be negotiated by delivery.

Section 47. The validity of the negotiation of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation; or by the fact that the owner of the receipt was [induced] *deprived of possession of the same by loss, theft, accident, conversion, fraud, mistake, or duress*, [to entrust the possession or custody of the receipt to such person] if the person to whom the receipt was negotiated, [or person to whom the receipt was subsequently negotiated] paid value therefor *in good faith*, without notice of the breach of duty or *loss, theft, accident, conversion, fraud, mistake or duress*.

When not impaired by loss, theft, accident, conversion, fraud, mistake, or duress.

APPROVED—The 29th day of April, A. D. 1937.

GEORGE H. EARLE

No. 135

### AN ACT

Prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certificated by a miners' examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation.

Section 1. Be it enacted, &c., That from and after the first day of April, one thousand nine hundred and thirty-eight, no person shall be employed or engaged as a miner in any bituminous coal mine in this Commonwealth, except as hereinafter provided for, without first having obtained a certificate of competency and qualification from a miners' examining board appointed under this act: Provided, however, That any miner holding such certificate may have one person working with him and under his direction as an apprentice for the purpose of learning the business of mining. For the purposes of this act, the term "miner" shall mean all underground workers in bituminous coal mines, except as hereinafter provided.

Coal miners.

Miners must secure certificate of competency.