

leases, or satisfactions, or to do any other thing affecting the lien of any mortgage which appears upon the records in such office.

It is unlawful for the recorder of deeds of any county to permit any person, other than a person so designated, to act for such [bank, banking] corporation, copartnership, or association, *bank*, co-operative banking association, trust, safe deposit, real estate, mortgage, title insurance, guaranty, surety, and indemnity company, savings institutions, savings banks, provident institutions, building and loan associations, lodge, or society.

Recorder not to permit action by unauthorized persons.

Any entry on any record in the recorder of deeds' office made in violation of the provisions of this act is void and of no effect.

Unlawful entry void.

APPROVED—The 1st day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 74.

AN ACT

To further amend section thirteen of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws, thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," as amended; empowering associate judges to act as return boards where the resident president judge is a candidate.

Section 1. Be it enacted, &c., That section thirteen of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws, thirty-one), entitled "A further supplement to the act regulating elections in this Commonwealth," which was amended by the act, approved the nineteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred sixty-seven), entitled "An act to amend section thirteen of the act, approved the thirtieth day of January, one thousand eight hundred and seventy-four (Pamphlet Laws, thirty-one), entitled 'A further supplement to the act regulating elections in this Commonwealth,' as amended, by authorizing the members of the board for receiving, computing, and certifying election returns to act when a majority of the members thereof are not qualified," is hereby further amended to read as follows:

Elections.

Section 13, act of January 30, 1874 (P. L. 31), as last amended by act of May 19, 1923 (P. L. 267), further amended.

Section 13. As soon as the polls shall close, the officers of election shall proceed to count all the votes cast for each candidate voted for, and make a full return of the same in triplicate, with a return sheet in addition, in all of which the votes received by each candidate shall be given after his or her name, first

Counting of votes.

Return.

Certifying. in words and again in figures, and shall be signed by all of said officers, and certified by overseers. if any, or, if not so certified, the overseers and any officer refusing to sign or certify, or either of them, shall write upon each of the returns his or their reasons for not signing or certifying them. The vote, as soon as counted, shall also be publicly and fully declared from the window to the citizens present, and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted, and the same shall be immediately posted upon the door of the election house for information of the public. The triplicate returns shall be enclosed in envelopes, and sealed in presence of the officers, and one envelope, with the unsealed return sheet, given to the judge. which shall contain one list of voters, tally paper and oaths of officers, and another of said envelopes shall be given to the minority inspector. All judges living within twelve miles of the prothonotary's office, or within twenty-four miles, if their residence be in a town, village, or city upon the line of a railroad leading to the county seat, shall, before two o'clock post meridian of the day after the election, and all other judges shall, before twelve o'clock meridian of the second day after [the] election, deliver said return, together with return sheet, to the prothonotary of the court of common pleas of the county, which said return sheet shall be filed, and the day and hour of filing marked thereon, and shall be preserved by the prothonotary for public inspection. At twelve o'clock on the said second day following any election, the prothonotary of the court of common pleas shall present the said returns to the said court. In counties where there is no resident president judge, or where *the resident president judge is himself a candidate for any office at said election*, the associate judges shall perform the duties imposed upon the court of common pleas, which shall convene for said purpose; the returns presented by the prothonotary shall be opened by said court, and computed by such of its officers and such sworn assistants as the court shall appoint, in the presence of the judge or judges of said court, and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges; and the vote as so computed and certified shall be made a matter of record in said court. The sessions of the said court shall be open to the public. And in case the returns of any election district shall be missing when the returns are presented, or in case of complaint of a qualified elector, under oath, charging palpable fraud or mistake, and particularly specifying the alleged fraud or mistake, or where fraud or mistake is ap-

Vote to be declared and statement posted.

Custody of returns.

Delivery to the court.

Opening and computation.

Record.

Missing returns, or fraud or mistake charged.

parent on the return, the court shall examine the return, and, if in the judgment of the court it shall be necessary to a just return, said court shall issue summary process against the election officers, and overseers, if any, of the election district complained of, to bring them forthwith into court, with all election papers in their possession; and if palpable mistake or fraud shall be discovered, it shall, upon such hearing as may be deemed necessary to enlighten the court, be corrected by the court, and so certified; but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation; and the said inquiry shall be directed only to palpable fraud or mistake, and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law; and the other of said triplicate returns shall be placed in the box and sealed up with the ballots. Nothing in this act shall require the returns of election of township or borough officers to be made to the court, as directed in this section; but all returns of the election of township and borough officers shall be enclosed in a sealed cover, directed to the prothonotary of the court of common pleas of the proper county, and shall, by some one of them, be delivered into his office within three days after every such election and filed therein. In counties where there are three or more judges of said court, learned in the law, at least two judges shall sit to compute and certify returns, unless unavoidably prevented. If any of the said judges shall himself be a candidate for any office at any election, he shall not sit with the court, or act in counting the returns of such election, and in such cases the other judges, if any, shall act; and if in any county there shall be no judge qualified to hold the said court, under the provisions of this act, present and able to act, then, and in every such case, the register of wills, the sheriff, and the county commissioners of the proper county, shall be and constitute a board, who, or a majority of whom, shall have and exercise all the powers and perform all the duties vested in, or required to be performed by, the court of common pleas of such county, by and under the provisions of this section; but none of the said officers shall act as a member of such board when himself a candidate for any office at the election, the returns of which the said board is required to count under the provisions of this section. If, in any such case, a majority of such officers are candidates for office at such election, then the officer or officers, members of said board, who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board. The returns required by this act to be presented by the

Summary process.
Decisions.

Returns for
township and
borough officers.

Two judges to
compute and cer-
tify returns.

Judge when a
candidate not to
act.

Board.

No such officer
shall act when
himself a candi-
date.

Returns of Philadelphia and Allegheny counties.

When two or more counties compose a district.

Compensation of officers.

Where ballot boxes are to be deposited.

Boxes not to be opened until officers are sworn.

Destruction of ballots and papers.

prothonotary of the courts of common pleas of Philadelphia and Allegheny, respectively, shall be presented to such two or more of the judges of the several courts of common pleas of said counties, respectively, as the judges of said courts, or a majority of them, may designate to perform the duty of receiving, computing, and certifying said returns. When two or more counties, or parts of two or more counties, are connected for the election of any officer, the courts of such counties, or parts of counties, comprising the district, shall each appoint a return judge, resident within such district, to meet within seven days after the day of election of such officer, at such place as is required by law, or, if no place of meeting is designated by law, at such place within such district where the returns of the election of such officer shall by law be directed to be filed, to compute and certify the vote of such district; and it shall be the duty of the return judges, in such cases, to transmit to the person elected as such officer's certificate of his election, within five days after the day of making up such return. All officers provided for by this act shall be compensated as like officers are paid by existing laws. Whenever a place has been or shall be provided by the authorities of any city, county, township, or borough for the safekeeping of ballot boxes, the judge and minority inspector shall, after the election shall be finished, and the ballot box or boxes containing the tickets, list of voters and other papers have been securely bound with tape and sealed, and the signatures of the judges and inspectors affixed thereto, forthwith deliver the same, together with the remaining boxes, to the mayor and recorder of such city, or, in counties, townships, or boroughs, to such person or persons as the court of common pleas of the proper county may designate, at the place provided as aforesaid, who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election. Whenever the election officers of any election district shall require the election boxes of such district, to hold any election which by law they are or shall be required to hold, they shall keep the same securely in their possession, without opening, until the morning of such election, and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted, and, after being so sworn or affirmed, they shall open the said boxes, and burn and totally destroy all the ballots and other papers which they shall find therein, before proceeding to hold such election.

APPROVED—The 1st day of April, A. D. 1925.

GIFFORD PINCHOT.