

When court directs new trial.

*decline to enter judgment non obstante veredicto but shall direct a new trial then it shall be the duty of the court having directed such new trial to so certify the evidence and to grant an exception to the party whose motion for judgment non obstante veredicto has been declined. That party may thereupon forthwith appeal to the Supreme or Superior Court from the refusal to enter judgment in his favor upon his motion. The Supreme or Superior Court shall review the action of the court below, and shall enter such judgment for either party as shall be warranted by the evidence taken in that court, or shall affirm the action of that court in granting a new trial.*

Appeal.

Judgment.

Shall apply to cases pending.

*Section 3. The provisions of section two hereof, allowing appeals in certain cases shall apply to all such cases pending at the time of the passage hereof in which the order of court refusing the motion and directing a new trial shall have been entered, except those cases in which the new trial so ordered has actually occurred.*

APPROVED—The 9th day of April, A. D. 1925.

GIFFORD PINCHOT.

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No. 147.

AN ACT

Providing for the payment by counties and poor districts of the salaries of officers where pending the settlement of a dispute the salary paid to such officer was less than the amount to which he was legally entitled.

Counties and poor districts.

Payment of deficiency in salary in case of dispute.

*Section 1. Be it enacted, &c., That whenever heretofore pending the settlement of a dispute any county or poor district has paid to a public officer a salary for the performance of his duties, and in subsequent legal proceedings brought in a court of record by such officer during his incumbency in office it was decided that the salary of such officer as fixed by law was in excess of the amount which was being paid by the county or poor district to such officer prior to such legal proceedings, then in any such case such officer shall be entitled to receive and be paid by the county or poor district responsible for the payment of the salary of such officer an amount equal to the difference between the amount to which he was legally entitled and the amounts received prior to such legal proceedings; and no failure on the part of such officer to appeal from the annual report of any auditor or board of auditors or controller shall be held to bar his right to recover the salary to which he was legally and mor-*

ally entitled: Provided, That this act shall not apply to the salary of any officer for any period prior to the first day of January, one thousand nine hundred and seventeen.

Proviso.

APPROVED—The 9th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 148.

AN ACT

Authorizing local boards of health of cities of the third class, boroughs, and first-class townships of the Commonwealth to organize county health associations; providing for the representation of such county associations in a State Association to be formed by representatives from such county health associations; and providing for the payment of the expenses of county and State associations.

Section 1. Be it enacted, &c., That the several local boards of health of cities of the third class, boroughs, and first-class townships of the Commonwealth now or hereafter incorporated are hereby authorized and empowered to organize county health associations for the purpose of holding meetings at such times and places within the county as such county association may designate, for the purpose of advancing the various health interests of said third-class cities, boroughs, and first-class townships, promote remedial legislation; and discuss any and all topics relating to the health and conduct of their respective municipalities; and providing for the enforcement and economical method of administering health legislation.

Public health.

County health associations.

Section 2. Cities of the third-class, boroughs, and first-class townships' boards of health may by resolution designate one delegate to attend such meetings of the county health association. The said boards of health of the several counties joining said county health association shall pay as dues to such county health association a sum not exceeding five dollars (\$5.00) per annum. The actual expenses of such delegate attending meetings of said county health association, including traveling expenses and hotel bills actually paid, shall be paid by the various boards of health of the said third-class cities, boroughs, and first-class townships, by orders drawn upon their respective treasuries.

Designation of delegates.

Dues.

Expenses of delegates.

Section 3. Each county health association is hereby authorized to elect one delegate to attend the annual meeting of the Pennsylvania Public Health Association to be held at such time and place within the Commonwealth as said Pennsylvania Public Health Association may designate.

Delegate to meeting of State association.