

purposes specified in section four of this act, shall be included within the purposes of any Authority created or organized under the provisions of the aforesaid act, and the rights, powers, and purposes herein described and conferred upon Authorities shall be cumulative with, and not in limitation of, the rights, powers, and purposes granted to or conferred upon such Authorities by any other act.

Section 17. Constitutional Construction.—The provisions of this act shall be severable, and if any of the provisions thereof shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 18. If a project shall have been established under this act by a board appointed by a municipality, which project is of a character which the municipality has power to itself establish, maintain, or operate, and such municipality desires to acquire the same, it may by appropriate resolution or ordinance, adopted by the proper Authorities, signify its desire to do so, and thereupon the Authorities shall convey by appropriate instrument said project to such municipality, upon the assumption by the latter of all the obligations incurred by the Authorities with respect to that project.

Section 19. This act shall take effect immediately. When effective.

APPROVED—The 28th day of June, A. D. 1935.

GEORGE H. EARLE

No. 192

AN ACT

To amend sections two and five of the act, approved the second day of May, one thousand eight hundred eighty-nine (Pamphlet Laws, sixty-six), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," as amended, by extending the same to funds and money, estates or effects in the custody, or under the control of certain United States courts; fixing jurisdiction, and providing proceedings relative thereto.

Section 1. Be it enacted, &c., That section two of the act, approved the second day of May, one thousand eight hundred eighty-nine (Pamphlet Laws, sixty-six), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," is hereby amended to read as follows:

Section 2, act
of May 2, 1889
(P. L. 66),
amended.

Property in
custody of
court.

Section 2. That whensoever any money, estate or effects, shall have been, or shall hereafter be paid into, or deposited in the custody *or be under the control* of any court of this Commonwealth, *or of any court of the United States in and for any district within this Commonwealth*, or shall be in the custody of any depository, registry, or of any receiver, clerk or other officer of *any* of said [court] courts, and the rightful owner or owners thereof shall have been or shall be unknown for the space of seven years, the same shall escheat to the Commonwealth, subject to all legal demands on the same.

Section 5 of
said act, as
amended by
section 2, act
of May 11,
1911 (P. L.
281), further
amended.

Jurisdiction.

Section 2. That section five of the said act, as amended by section two of the act, approved the eleventh day of May, one thousand nine hundred eleven (Pamphlet Laws, two hundred eighty-one), is hereby further amended to read as follows:

Orphans'
court of
decedents'
residence.

Section 5. That the jurisdiction in all cases of escheat under the provisions of this act, shall be vested in the courts of this Commonwealth, as follows, namely:

If a non-
resident.

Whenever an escheat shall occur or be supposed to occur by reason of any person dying intestate, without heirs or known kindred, a widow or surviving husband, the orphans' court of the county wherein said decedent was resident at the time of his death, or in case said decedent was not at the time of his death resident within this Commonwealth, then the orphans' court of the county in which the greater part of his property, real and personal, shall be situate, shall have jurisdiction.

Where benefi-
ciary unknown,
then in the
court in
which trustees'
account
was filed.

Whenever an escheat shall occur, or be supposed to occur, of any property, estate or effects deposited in the custody of any court, or with any depository, receiver or other officer thereof, the owner whereof shall be unknown, and whenever any escheat shall occur or be supposed to occur of any property, estate or effects held by any trustee or other person in a fiduciary capacity, who shall have filed an account thereof in any court of this Commonwealth, by reason of the fact that the cestui que trust or beneficial owner thereof shall be unknown, then and in such case, the court in which, or in the custody of any depository, receiver or other officer of which said property, estate or effects may have been or shall be deposited, whether the same be real or personal, or in which said account has been or may be duly filed, shall have jurisdiction; and whensoever any property, estate, or effects held by any trustee or trustees under any trust, or held by and resulting to such trustee or trustees from the exercise of the trust, or resulting after the termination of the trust and before distribution is actually made under the terms of the trust or decree of court, from rents, accretions, profits, or interest from, of, or on the trust property, or any part thereof, shall escheat or be supposed to escheat by reason of

the fact that such property, estate, or effects has no lawful owner, the court of common pleas of the county in which such property, estate, or effects, or the greater part thereof, shall be located, shall have jurisdiction, except in cases where the trustee shall be a corporation, in which cases the court of common pleas of the county wherein the principal office of such corporation is located shall have jurisdiction.

Whenever an escheat has occurred, or shall occur, of any money or property deposited in the custody of, or under the control of, any court of the United States in and for any district within this Commonwealth, or in the custody of any depository, clerk or other officer of such court, the court of common pleas of the county in which such court of the United States sits, shall have jurisdiction to ascertain if an escheat has occurred, and to enter a judgment or decree of escheat in favor of the Commonwealth.

Section 3. This act shall become effective immediately and shall apply to all proceedings now pending, as well as hereafter instituted. When effective.

APPROVED—The 28th day of June, A. D. 1935.

GEORGE H. EARLE

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No. 193

AN ACT

Providing for the payment of the compensation, medical and hospital expenses of policemen and firemen by cities (except of the second class A), boroughs, towns, and townships who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any usual sick leave period.

Section 1. Be it enacted, &c., That any policeman or fireman of any city (except of the second class A), borough, town or township, who is injured in the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties, shall be paid by the municipality, by which he is employed, his full rate of compensation until the disability arising therefrom has ceased. All medical and hospital bills, incurred in connection with any such injury, shall be paid by such municipality. Policemen
and firemen.

Section 2. No absence from duty of any such policeman or fireman by reason of any such injury shall in any manner be included in any period of sick leave, allowed such policeman or fireman by law or by regulation of the police or fire department by which he is employed.