

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.

Act of 1934,
(P. L. 246),
repealed.

Section 16. The act approved the seventeenth day of January, one thousand nine hundred and thirty-four (Pamphlet Laws, two hundred forty-six), entitled "An act providing for and regulating, subject to certain restrictions, limitations and liabilities, pensions for certain blind persons, and the administration of this act by the Department of Welfare, the trustees who administer mothers' assistance in the several counties, or by other trustees in certain cases; authorizing appointment of trustees for the pensions payable to certain individuals; and providing penalties," is hereby repealed.

General
repeal.

All other acts and parts of acts inconsistent herewith are hereby repealed.

Board members
in office on
effective date
of this act
to continue.

Section 17. The members of the respective Boards of Pension for the Blind, holding office upon the effective date of this act, shall continue in office until the expiration of their terms for which they were appointed, unless they are previously removed in the manner provided by law.

Effective date.

Section 18. The provisions of this act shall become effective on the first day of July, one thousand nine hundred and thirty-five.

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

GEORGE H. EARLE

No. 221

AN ACT

To amend section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand five hundred twenty), entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," providing for the expenditure of such appropriation for the construction of second-class township streets, roads, and bridges; requiring the reduction of tax levies by such townships; and validating tax levies of townships made after the last day now fixed by law for such levy.

Section 3,
act of
June 3, 1933
(P. L. 1520),
amended.

Section 1. Be it enacted, &c., That section three of the act, approved the third day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one

thousand five hundred twenty), entitled "An act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the various political subdivisions of the Commonwealth for the maintenance of certain streets and roads during the calendar years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and requiring political subdivisions to reduce their tax rates for road and street purposes for said years; providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such political subdivisions by the Department of Highways in carrying out the purposes of this act," is hereby amended to read as follows:

Section 3. Of the amount appropriated to the Department of Highways for use upon the streets and roads in cities of the third class, boroughs, incorporated towns, and townships of the first class, there shall be expended or allocated by the Department of Highways in or to each of such political subdivisions, at the option of the proper authorities of each subdivision expressed in writing to the Department of Highways, for the repair and maintenance of streets and roads therein not repaired and maintained by the Department of Highways under the provisions of any other law, such proportion of the total amount hereinbefore provided for use in the political subdivisions of which it is a class as the miles of streets or roads under its jurisdiction, within its municipal limits, and not maintained by the Department of Highways under the provisions of any other law, bears to the total number of miles of such streets or roads within the municipal limits of all the political subdivisions of which it is a class, as above provided.

Of the amount appropriated to the Department of Highways for use upon streets and roads in townships of the second class, there shall be expended by the Department of Highways in each of such townships of the second class, for the *construction*, repair, and maintenance of streets, [and] roads, and *bridges* therein not repaired and maintained by the Department of Highways under the provisions of any other law, such proportion of the total amount hereinbefore provided for use in townships of the second class as the miles of streets or roads under its jurisdiction, within its municipal limits, and not maintained by the Department of Highways under the provisions of any other law, bears to the total number of miles of such streets or roads within the municipal limits of all townships of the second class. *Each township of the second class shall, at the time of fixing the tax levy for the year one thousand nine hundred thirty-five or thereafter as provided by*

Allocation to or expenditure in cities of the third class, boroughs and towns.

Basis.

Expenditure in townships of second class.

Construction, repair and maintenance of streets, roads, and bridges.

Townships of second class to reduce tax levies.

this act, reduce the said tax levy for road and street purposes by an amount approximately equivalent to the amount to be expended in such township under the provisions of this act as compared with the amount levied for road and street purposes for the year one thousand nine hundred and thirty-three, except that proper provision shall be made by the townships for interest, sinking fund, and debt repayment charges, and such other administrative and overhead expenses as may be necessary: Provided further, That, if any board of supervisors of any township of the second class has, during the year one thousand nine hundred and thirty-five, delayed making its tax levy beyond the last day allowed by law for the levy of its road tax, any such action by a board of township supervisors in levying its tax on or before July fifteenth, one thousand nine hundred and thirty-five, is hereby ratified, confirmed, and made valid.

Validation of certain delayed tax levies.

Proviso.

Provided, that in case any township desires to make application for Federal funds any surplus of the funds appropriated by the act to which this is an amendment, over the amount required for maintenance, may with the approval of the Secretary of Highways be used for such purpose in the same manner as other State funds are now or may hereafter be used for such purpose in connection with State highways.

Disposition of unexpended balance of appropriated funds.

Section 2. Any balance of the funds appropriated by the act to which this is an amendment, and not expended on January first, one thousand nine hundred thirty-six, shall be added to the appropriation made by any other act appropriating funds for the same purpose for the years, one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven, which may be enacted at this session of the General Assembly, and shall thereafter be expended under the provisions of such act in addition to the funds thereby appropriated.

When effective.

Section 3. This act shall become effective immediately upon final enactment.

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

GEORGE H. EARLE

No. 222

AN ACT

To reenact and amend the title and the act, approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred eighty-four), entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection