

inmates of said institution from the Manufacturing Fund as is provided by law in the case of State penal institutions.

Department shall have power to make rules and regulations.

Section 8. The Department of Welfare shall have power to make all necessary rules and regulations, not inconsistent with this act, for the admission, care, detention, employment, discipline, instruction, and temporary or permanent release of all persons detained in said institution.

Release of mental defective delinquents.

Section 9. When, in the opinion of the board, it appears that the mental condition of any inmate has so improved that his release will be beneficial and not incompatible with the welfare of society, the board shall notify the Department of Welfare, whereupon such department may recommend the discharge of such inmate to the court committing or sending him to the institution, which recommendation shall be accompanied by a record of the case, setting forth the date of the original commitment, the institutions in which such person was an inmate and the time spent in each, the history of the case in the Pennsylvania Institution for Defective Delinquents, and the opinion of the superintendent and physician as to the present mental condition of such inmate. Whereupon the court may, in its discretion, after hearing all persons desirous of being heard, issue an order, under the seal of the court, upon the Department of Welfare to discharge such inmate from the said institution.

This act does not repeal or modify the act of July 11, 1923 (P. L. 998), or act of May 22, 1933 (P. L. 224).

Section 10. This act shall not be construed to repeal or modify the provisions of the Mental Health Act, approved the eleventh day of July, one thousand nine hundred and twenty-three (Pamphlet Laws, nine hundred ninety-eight), or the psychiatrists' act, approved the second day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred twenty-four).

APPROVED—The 25th day of May, A. D. 1937.

GEORGE H. EARLE

No. 225

AN ACT

To re-enact the act, approved the eighteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, eight hundred twenty-six), entitled "An act authorizing courts of common pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs," as amended.

Act of May 18, 1933 (P. L. 826), as amended by act of March 27, 1935 (P. L. 7), further amended.

Section 1. Be it enacted, &c., That the act, approved the eighteenth day of May, one thousand nine hundred

and thirty-three (Pamphlet Laws, eight hundred twenty-six), entitled "An act authorizing courts of common pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs," as re-enacted and amended by the act of March twenty-seventh, one thousand nine hundred and thirty-five (Pamphlet Laws, seven), is hereby further re-enacted to read as follows:

Whereas, The present economic emergency has brought increasing distress to home owners and farmers; and

Preamble.

Whereas, Foreclosures in this emergency, work tremendous inequities to such persons, yield a minimum of satisfaction to execution creditors, and deprive families of shelter and means of subsistence, thus endangering the health, safety, welfare and morals of the public.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

Executions and tax sales.

Section 1. Definitions.—That when used in this act, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly requires a different meaning:

Definitions.

"Writ of execution" shall mean any writ of fieri facias, venditioni exponas, levare facias, or any other writ or form of execution for the sale of any dwelling, and the land appurtenant thereto, or any farm, where such dwelling or farm shall be occupied by an owner thereof as his or her residence, or any proceeding for the sale of real property, as herein defined, for failure to pay taxes.

"Real property" shall mean any dwelling, together with the land appurtenant thereto, and any farm occupied by an owner of such dwelling or farm as a residence.

Section 2. Every court of common pleas of this Commonwealth shall have authority, under the conditions hereinafter set forth, to stay any writ of execution from time to time and for such periods as the court, in its discretion, may deem proper. Such stays shall be allowed only upon application of an owner, lienholder, or any other person in interest, and, unless the plaintiff consent thereto, only upon the applicant's showing to the court such facts as the court may deem sufficient to warrant such relief. In granting any such stay or continuance, the court may impose such condition as it deems proper as to payment of costs, taxes, accruing interest, repairs, advertising and notice of sale, insurance, and any other pertinent matters.

Courts authorized to stay writs of execution.

Application for stay.

Court may impose conditions.

Equity power.

Section 3. In exercising the powers conferred by this act, a court shall have the discretion of a chancellor sitting in equity. It shall be a sufficient reason for the grant of a stay hereunder that immediate execution sale against the real property would work serious inequity by reason of the economic emergency hereinabove referred to.

Reason for stay.

Stay to continue return day.

Section 4. The stay of any execution under this act shall continue the return day of the writ of execution to the first regular return day for such writs which shall occur after a sale held under such writ. In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ.

Writ to remain in effect.

Additional power.

Section 5. The powers herein conferred on courts of common pleas shall be in addition to all powers now possessed by such courts to stay and otherwise control writs of execution against real property, as herein defined.

Effective period.

Section 6. This act shall become effective immediately upon final passage by the Legislature and approval by the Governor, and shall continue in force only until the thirty-first day of March, one thousand nine hundred and [thirty-seven] *thirty-nine*: Provided, That the provisions of this act shall not apply to the foreclosure of mortgages insured under Title II of an Act of Congress of the United States entitled, the "National Housing Act," approved the twenty-seventh day of June, one thousand nine hundred and thirty-four.

Proviso.

National Housing mortgages excepted.

Section 7. All acts and parts of acts inconsistent herewith are suspended while this act is in effect.

Suspension of laws.

When effective.

Section 2. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 25th day of May, A. D. 1937.

GEORGE H. EARLE

No. 226

AN ACT

To provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries,