

count or the part thereof not approved or paid\* for delinquent taxes and municipal claims, and that payment thereof will be refused until such delinquent taxes and municipal claims are paid or provision for their payment made.

Inconsistent acts repealed.

Section 4. All acts and parts of acts inconsistent with this act are hereby repealed.

When effective.

Section 5. This act shall become effective immediately upon its final enactment.

\* "payed" in original.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 494

AN ACT

Authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county, any real estate and property appropriate for agriculture fairs or exhibits; and to lease the same, without expense or liability to the county, to any incorporated agriculture association to operate and conduct an annual fair within the county.

Section 1. Be it enacted, &c., That where the owner or owners of any real estate, with or without improvements thereon, adapted to the use or purpose of public agriculture fairs or exhibits, are willing to convey said real estate to the county wherein located to be held in trust for citizens and inhabitants of the county, the county commissioners shall have the right to take title thereto and hold such real estate in trust for the benefit of the citizens and inhabitants of the county.

County commissioners to take title and hold in trust.

Section 2. The county commissioners of any county shall have the power to receive and accept contributions in building or materials for additional improvements on the real estate conveyed and held in trust as provided in section one.

Contributions.

Section 3. The county commissioners may lease said real estate to any incorporated agriculture association willing and financially able to manage said premises, on condition that said premises will be used annually for agriculture fairs and exhibitions each year, without any liability on the part of the county and with no expense to the county. Upon failure of any lessee to comply with the terms of any lease, the county shall retake possession of the real estate.

Lease.

Section 4. If for a period of five years no public use of said real estate as contemplated by the grant to the county is made, the county commissioners shall have

power to sell such real estate on petition to the court of common pleas as provided by law for the sale of county property. Sale.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE

No. 495

AN ACT

To amend section three hundred eleven as amended by the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating the rights of persons elected by vote of the people who become members of the retirement system in counties of the second class.

Section 1. Be it enacted, &c., That section three hundred eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as last amended by the act, approved the fourth day of April, one thousand nine hundred thirty-five (Pamphlet Laws, twelve), is hereby further amended to read as follows:

Section 311. "County Employee" Defined.—A county employe, for the purpose of this subdivision of this act, is any person employed by the county or by the county poor district at a wage or salary payable at stated intervals; that is to say, semi-monthly, monthly, quarterly, or annually. The term may, at the option of the Retirement Board, include any person elected by the vote of the people, and any such person admitted or readmitted to membership in said fund, shall receive credit for his previous service in the employ of the county as an elected or appointed employe or official, upon the payment of such amount due as contributions for such previous service as shall be determined by the Retirement Board. In all cases of doubt, the Retirement Board shall determine who is an employe within the meaning of this act.

Section 311, act of May 2, 1929 (P. L. 1278), as last amended by act of April 4, 1935 (P. L. 12), further amended.

"County employe," defined.

Powers of Retirement Board.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE