

by way of East McKeesport, Turtle Creek, and Wilkinsburg to a point on the boundary line of the city of Pittsburgh, Allegheny County.

APPROVED—The 13th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 349.

AN ACT

To amend paragraph one of section three of article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto"; changing the millage provided for general tax purposes.

Section 1. Be it enacted, &c., That paragraph one of section three of article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," is hereby amended to read as follows:

Cities of third class.

Taxation.

Section 3, article V. of act of June 27, 1913 (P. L. 568), amended.

One. To levy and collect taxes for general revenue purposes, not to exceed [ten] *fifteen* mills on the dollar in any one year, on all persons, real, personal and mixed property, within the limits of said city, taxable according to the laws of the State of Pennsylvania for county purposes; the valuation of such property to be assessed as hereinafter provided.

APPROVED—The 13th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 350.

AN ACT

Providing for the sale of property held by husband and wife as tenants by entireties where they have been divorced, and directing the distribution of the proceeds of such sale.

Section 1. Be it enacted, &c., That whenever any husband and wife now or hereafter holding property

Tenancy by entireties.

Division of property when husband and wife are divorced.	as tenants by entireties have been divorced either of such tenants by entireties may bring suit in the court of common pleas sitting in equity of the county where the property is situate against the other to have the property sold and the proceeds divided between them.
Summons.	The summons in such suit shall be served in the same manner and with like effect as in cases of partition at law. At the hearing on such suit both husband and wife shall be competent witnesses. The value of the property shall be proven by the testimony of at least two impartial and disinterested witnesses.
Competency of parties as witnesses.	
Proof of value.	
Order appointing a trustee.	Section 2. If satisfied that the relief asked for is proper the court of common pleas sitting in equity shall order a trustee to be appointed by the court to make public sale of said property. Said order shall provide that before making sale the trustee shall give bond in double the estimated value of the property and shall advertise the same in one or more newspapers of general circulation in the community in which the property is located and by hand-bills posted on the property and in other public places once a week for four consecutive weeks before the day of the sale. The order of sale shall be returnable, as provided by rules of court, and when confirmed such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate.
Bond of trustee.	
Notice of sale.	
Return and confirmation.	
Effect of sale.	
Interests of tenants and division of proceeds.	Section 3. The interest of each of the respective tenants by entireties shall be conclusively deemed to be one-half of the value of the property. The proceeds of any sale had under the provisions of this act after the payment of the expenses thereof shall be equally divided between the tenants by entireties. If the whereabouts of the defendant is unknown his or her share shall be paid into court, to be disposed of as the court shall direct.
When whereabouts of defendant is unknown.	
Where property is located in more than one county.	Section 4. If property held by tenants by entireties sought to be sold under the provisions of this act is located in more than one county proceedings may be had in any county where any of such land is located: Provided, That in such cases all advertising required by this act shall be done in each county where any of such land is located, and a certified copy of the record shall be filed in the office of the prothonotary of each of such counties and shall be received in evidence with like effect as the records of the court where filed.
Proviso.	
Act of May 24, 1923 (P. L. 446), not to be affected.	Section 5. Nothing herein contained shall repeal or in anywise affect any of the provisions of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, four hundred and forty-six), entitled "An act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same, or whose whereabouts is unknown, or who

has absented himself from this Commonwealth; prescribing the procedure to be followed; permitting husband and wife to testify; providing for the disposition of the proceeds of such sale; and granting a divorced woman the same rights under this act as a wife."

All other acts or parts of acts inconsistent herewith are hereby repealed. Repeal.

APPROVED—The 13th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 351.

AN ACT

To amend sections one, two, and three of the act, approved the twenty-second day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred five), entitled "A supplement to the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation'; providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof"; vesting the power to sell and lease lands in the Department of Forests and Waters, and making an appropriation of the moneys realized to said Department.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-second day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred five), entitled "A supplement to the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation'; providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof," is hereby amended to read as follows:

Pymatuning reservoir.

Section 1 of act of May 22, 1923 (P. L. 305), amended.

Section 1. Be it enacted, &c., That the [Water Supply Commission of Pennsylvania] *Department of Forests and Waters* may, in its discretion, sell at public or private sale, and convey title thereto in the name of the Commonwealth of Pennsylvania, any land or buildings, or both, acquired by it in the name of

Certain lands may be sold by Department of Forests and Waters.