

## No. 35

## AN ACT

To amend section two of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred twenty-four), entitled "An act preventing the manufacture, sale, or transportation within the Commonwealth of adulterated or misbranded Paris greens, lead arsenates, lime-sulphur compounds, and other insecticides and fungicides, and regulating traffic therein; providing for inspection of such materials, and imposing penalties," by requiring persons selling such insecticides and fungicides to give printed directions therewith.

Insecticides and fungicides.

Section 2, act of May 17, 1917, (P. L. 224), amended.

Section 1. Be it enacted, &c., That section two of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred twenty-four), entitled "An act preventing the manufacture, sale, or transportation within the Commonwealth of adulterated or misbranded Paris greens, lead arsenates, lime-sulphur compounds, and other insecticides and fungicides, and regulating traffic therein; providing for inspection of such materials, and imposing penalties," is hereby amended to read as follows:

Unlawful misrepresentation of value.

Section 2. That it shall be unlawful for any person to defraud any other person by misrepresenting the value of any *insecticide, fungicide*, or other treatment, applied to trees, shrubs, vines, or other plant material, or to any animal, for preventing, destroying, repelling, or mitigating any insect, fungus, or bacterial disease, or for accelerating its growth or productive power; *and it shall be unlawful for any person to sell any such insecticide, fungicide, or treatment, in any quantity, without giving to the purchaser thereof printed directions, either on the label or in an accompanying statement, stating the strength and time to use the same and any other information necessary for the success of such treatment.*

Unlawful to sell without printed directions.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

## No. 36

## AN ACT

To amend section forty-four of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred seventy-two), entitled "An act relating to the commencement of actions," as amended, providing that a foreign attachment may be issued against the real or personal property of a nonresident of the State temporarily in the State at time of issue, and in certain cases of a resident thereof having removed therefrom.

Section 1. Be it enacted, &c., That section forty-four of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (Pamphlet Laws, five hundred seventy-two), entitled "An act relating to the commencement of actions," which was last amended by the act, approved the twenty-first day of June, one thousand nine hundred and eleven (Pamphlet Laws, one thousand ninety-seven), entitled "An act amending section forty-four of an act, approved the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six, entitled 'An act relating to the commencement of actions,' as amended by an act, approved the thirtieth day of March, Anno Domini one thousand nine hundred and five, entitled 'An act to amend section forty-four of the act of Assembly of this Commonwealth, entitled "An act relating to the commencement of actions," approved the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six, so as to make all the provisions of said act apply to certain actions ex delicto as well as to all actions ex contractu,' by extending its provisions to foreign corporations," is hereby further amended to read as follows:

Section 44. A writ of foreign attachment, in the form aforesaid, may be issued *in all actions ex contractu, and in actions ex delicto for a tort committed within this Commonwealth*, against the real or personal estate of: (a) any person not residing within this Commonwealth, [and not being within the county in which such writ shall issue] *whether or not such person is in the Commonwealth* at the time of the issuing thereof, or (b) [of] any corporation incorporated under the laws of any other State or Nation, [in all actions ex contractu, and in actions ex delicto for a tort committed within this Commonwealth] *or (c) any person who being a resident of this Commonwealth shall have removed therefrom after having become liable in an action ex delicto. But in such cases the person having such right of action ex delicto, or some one in his behalf, must, upon oath or affirmation, certify to the truth of the claim and of the facts upon which such attachment is founded, as well as that he verily believes such person has removed to escape service of process to answer for such alleged tort.*

Section 2. The act, approved the fifteenth day of May, one thousand eight hundred and seventy-four (Pamphlet Laws, one hundred eighty-three), entitled "An act supplementary to an act relating to the commencement of actions, approved June thirteenth, one thousand eight hundred and thirty-six, applying the

Personal actions.

Section 44, act of June 13, 1836. (P. L. 572), as amended by act of June 21, 1911, (P. L. 1097), further amended.

Writ of foreign attachment.

Nonresidents.

Corporations.

Residents who have removed.

Act of May 15, 1874, (P. L. 183), repealed.

writ of foreign attachment to actions ex delicto," is hereby repealed.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 37

AN ACT

Making the surviving spouse competent to testify in all cases where the right of such spouse to share in a deceased spouse's estate is disputed because of alleged desertion or non-support of the decedent, whether decedent died testate or intestate.

Decedents' estates.

Husband and wife.

Desertion or non-support.

Surviving spouse made competent witness.

Repeal.

Section 1. Be it enacted, &c., That in any proceeding where the matter in issue shall be the right of a surviving husband or wife to share in the estate of the deceased spouse, which right is disputed because of the allegation that such surviving spouse had forfeited such right by reason of desertion or non-support of the deceased spouse for one whole year prior to the death of the deceased spouse, the surviving husband or wife shall be a competent witness as to all matters pertinent to such issue, whether the same occurred before or after the death of the deceased spouse, and whether the deceased spouse died testate or intestate.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 24th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 38

AN ACT

To repeal the act, approved the twenty-eighth day of April, one thousand eight hundred and seventy-six (Pamphlet Laws, fifty-one), entitled "An act to provide for the erection and maintaining of watering troughs for the use of horses and cattle on the public roads of this Commonwealth, and providing penalties for the injury and destruction of the same," and its amendments.

Watering troughs.

Act of April 28, 1876 (P. L. 51), repealed.

Section 1. Be it enacted, &c., That the act, approved the twenty-eighth day of April, one thousand eight hundred and seventy-six (Pamphlet Laws, fifty-one), entitled "An act to provide for the erection and maintaining of watering troughs for the use of horses and cattle on the public roads of this Commonwealth, and