

writ of foreign attachment to actions ex delicto," is hereby repealed.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 All acts or parts of acts inconsistent herewith are hereby repealed.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Act of April 28, 1876 (P. L. 51), repealed.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

providing penalties for the injury and destruction of the same," and its amendments, is hereby repealed.

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

GIFFORD PINCHOT

No. 39

AN ACT

To amend section seven hundred and two of the act, approved the eleventh day of July, one thousand nine hundred and twenty-three (Pamphlet Laws, nine hundred ninety-eight), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by imposing additional penalties.

Section 1. Be it enacted, &c., That section seven hundred and two of the act, approved the eleventh day of July, one thousand nine hundred and twenty-three (Pamphlet Laws, nine hundred ninety-eight), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," is hereby amended to read as follows:

Section 702. If any person shall aid or assist any *mental* patient lawfully admitted to any mental hospital to make, or attempt to make, his escape therefrom, or shall connive in any way at such escape, or attempt at escape, although no escape has actually been made; or if any person shall deliver, or cause to be delivered, or in any way connive at the delivery, of any alcoholic or other intoxicating or narcotic substance to any *mental* patient in any mental hospital or psychopathic department or ward of a general hospital, without the knowledge and consent of the physician in charge thereof,—such person shall be deemed guilty of a misdemeanor, and, upon conviction in the proper court, be subject to a fine of not more than fifty dollars, or imprisonment for not more than three months, or both, at the discretion of the court.

Mental Health  
Act of 1923.

Section 702, act  
of July 11, 1923  
(P. L. 998),  
amended.

Penalties.

Aiding or assist-  
ing escape of  
mental patient.

Delivering intoxic-  
ants or narcotics.

Misdemeanor.

Penalty.