

AN ACT

To amend further paragraph (a) of section twenty-three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," which section was amended in section two of the act, approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, six hundred forty-six), entitled "An act to amend section three, and paragraph (a) of section twenty-three, of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled 'An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein,' by providing that in no such proceedings shall it be necessary to join the spouse of any interested party," by requiring executors, administrators, or trustees, ordered to make sale of real estate, to file bonds, with sureties, as required in section twenty-five of the Orphans' Court Partition Act of One Thousand Nine Hundred and Seventeen.

Orphans' Court
Partition Act.

Paragraph (a),
section 23, act
of June 7, 1917
(P. L. 337), as
amended by act
of April 24, 1929
(P. L. 646),
further amended.

Section 1. Be it enacted, &c., That paragraph (a) of section twenty-three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," which section was amended in section two of the act, approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, six hundred forty-six), entitled "An act to amend section three, and paragraph (a) of section twenty-three, of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled 'An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein,' by providing that in no such proceedings shall it be necessary to join the spouse of any interested party," is hereby amended to read as follows:

Section 23. (a) Whenever any person shall die seised of real estate, and the parties in interest desire the same to be converted into money for distribution, it shall be lawful for the orphans' court of the proper county, in

Sales for purpose
of distribution.

its discretion, upon the joint petition of the widow and heirs or devisees, and the guardians or committees of such as are minors or under disability, in whom the real estate of the decedent shall have vested by descent or will, and legatees whose legacies are charged on said real estate, or the representatives of such as may be deceased or under disability, to order the executor or administrator, or a trustee to be appointed by said court, to make sale of said real estate, but in no such proceedings shall it be necessary for the spouse or spouses of any such party or parties to join in such petition. Such petition shall set forth the description of the property, the desire to have the same sold, and its estimated value according to the affidavits of two disinterested and competent persons, and said petition shall be duly sworn to. Said order shall provide that, before making sale, the executor, administrator, or trustee shall [give] *file a bond, [in double the estimated value of the said real estate] with sureties, as required in section twenty-five of the Orphans' Court Partition Act of One Thousand Nine Hundred and Seventeen*, and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition. The proceeds of such sale, after payment of the expenses thereof, shall be distributed to and among those entitled thereto, the same as real estate. Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act.

Petition.

Bond.

Proceeds
of sale.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 90

AN ACT

Providing for the acquisition of land, and the erection, construction and maintenance of jails and/or workhouses by cities of the first class; providing for their management and control of same by the inspectors of existing jails or prisons, and the transfer of prisoners by such inspectors.

Section 1. Be it enacted, &c., That hereafter cities of the first class have power to acquire ground for, and to erect, construct and maintain, jails and/or workhouses, to which jails and/or workhouses prisoners may be committed by the several courts of the county wherein such cities are situate, or by other legal process, in the manner now provided by law for such commitments to county jails and/or workhouses.

Cities of
first class.Jails and
workhouses.Erection and
maintenance
authorized.

Section 2. The city council of any such city is authorized to use any suitable lands already held for city purposes, or to acquire any quantity of lands within the

Acquisition
of land.