

- law, at any county treasurer's sale of seated lands for the collection of taxes and not redeemed within two years from the date of such sale to the county commissioners, upon first procuring the approval of such sale by the court of common pleas of the county in which such lands are situated.
- Private sale upon approval of court.**
- Petition to court of common pleas.** Section 2. Upon petition of the county commissioners to the proper court of common pleas, setting forth the date of sale of such lands to the county commissioners, the date when the right of redemption expired and that the right of redemption was not exercised prior to its expiration, a description of the lands sought to be sold, the name of the proposed purchaser, and the terms of the proposed sale and the amount of taxes and costs accrued against the said lands, the court shall fix a time for hearing upon said petition, and require ten days' notice thereof to be given by publication in one newspaper of general circulation published in the county wherein such lands are located.
- Hearing. Notice.**
- Order of court.** Section 3. Upon hearing being held, if no valid objections are interposed to said sale, and if it shall appear to the court that said sale should be made according to its terms, the court shall order the county commissioners to make and deliver to the purchaser a commissioners' deed for the proper conveying of said lands, and to collect the purchase price therefor and to pay all costs of the proceeding from said purchase price.
- Repeal.** Section 4. All acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 25th day of May, A. D. 1933.

GIFFORD PINCHOT

No. 231

AN ACT

To amend sections twenty-five, thirty-eight, and forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred thirty-seven), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages: and amending, revising, and consolidating the law relating thereto"; providing for the amendment of libels to include additional grounds for divorce; providing for service of notice of hearing on correspondents; and providing for alimony pendente lite in cases of divorce from bed and board.

Divorce.

Sections 25, 38
and 46, act of
May 2, 1929
(P. L. 1237),
amended.

Section 1. Be it enacted, &c., That sections twenty-five, thirty-eight, and forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred and thirty-seven), entitled "An act affecting marital relations; prescribing grounds and regulating pro-

ceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," are hereby amended to read as follows:

Section 25. Presentation of Libel; Contents; Affidavit.—Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session, or during vacation to a judge thereof at chambers. The petition or libel shall set forth therein, particularly and specifically, the cause of his or her complaint, and shall be accompanied with an affidavit, on oath or affirmation taken before one of the said judges or the prothonotary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgments, that the facts contained in said petition or libel are true to the best of his or her knowledge and belief, and that the said complaint is not made out of levity, or by collusion between the said husband and wife, and for the mere purpose of being freed and separated from each other, but in sincerity and truth for the causes mentioned.

In cases where the respondent is a hopeless lunatic, or non compos mentis, the fact of lunacy of the respondent, and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation, shall be set forth in the petition or libel, and affidavit required by this section shall be taken by the petitioner.

In cases where the libellant is a minor, the libel shall be presented by a relative or next friend, and the affidavit thereto shall be taken by such minor libellant.

The court may allow any libel to be amended so as to include additional grounds or causes for divorce, including such as arose subsequent to the awarding of the subpoena. Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment.

Section 38. Notice to Corespondent.—In any case for divorce on the ground of adultery, the libellant shall cause to be served personally, or by registered mail *addressed to the last known post office address*, a notice on any corespondent named and identified in the libel, and, where such corespondent is named and identified first in the testimony, then such notice shall be given before the testimony is closed, and an opportunity afforded such corespondent to be heard. *A notice sent by registered mail, addressed to the last known post office address of the corespondent, shall be equivalent to personal service of the notice.* Such notice shall set forth that such person was named in the proceedings as corespondent, and designate the time and place of hearing, and shall be served at least ten days previous to the hearing. Proof of the *personal service of such notice, or the mailing of such notice to the last known post office address of the*

corespondent, shall be filed in the office of the prothonotary.

Section 46. Alimony Pendente Lite, Counsel Fees and Expenses.—In case of divorce from the bonds of matrimony *or bed and board*, the court may, upon petition, in proper cases, allow a wife reasonable alimony pendente lite and reasonable counsel fees and expenses.

APPROVED—The 25th day of May, A. D. 1933.

GIFFORD PINCHOT

No. 232

AN ACT

Requiring county treasurers, excepting counties of the first and second class, to make monthly settlements with all cities, boroughs, townships, school districts and poor boards within the county for all delinquent taxes, penalties, fines and costs collected during said period, and providing the manner in which same shall be made.

Delinquent taxes.

County treasurers to make monthly settlements of collections.

Section 1. Be it enacted, &c., That upon the passage and signing of this act, the treasurer of each county, excepting counties of the first and second class, shall make a monthly return and statement to each city, borough, township, school district and poor board within the county. Said return shall be made within ten days following the first day of each month, and shall show all delinquent taxes, penalties, fines and costs collected by said treasurer. Said report or settlement shall also give a detailed description of the tax in question, with the name of the taxpayer, and a full and sufficient description of the property to which the tax in question relates.

Treasurer to remit taxes, etc., at time of making settlement.

Section 2. At the time of making said settlement and report, the treasurer shall also remit all taxes, penalties, fines, and costs, and, in said report, shall make a proper segregation, showing, separately, the amount and kind of tax, the year to which the same relates, amount of penalties, interest and costs.

Penalties, etc., to be transmitted monthly.

Section 3. All penalties, costs, fines and interest, relating to any tax collected by the county treasurer and belonging to any city, borough, township, school district or poor board, shall be monthly transmitted to said city, borough, township, school district or poor board, and shall in no way belong to or become the property of the county.

Forms.

Section 4. All forms of reports or transmittals shall be uniform, and shall be furnished and supplied by the county commissioners and at the expense of the county.

APPROVED—The 25th day of May, A. D. 1933.

GIFFORD PINCHOT