

Repeal.

Section 6. All acts and parts of acts inconsistent with this act are repealed.

Effective date.

Section 7. This act shall take effect and be in force sixty days after the date of its approval.

APPROVED—The 26th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 53.

AN ACT

Authorizing the Department of Forests and Waters to accept gifts, donations, or contributions under certain circumstances; and providing for the use of such gifts.

Department of
Forests and
Waters may ac-
cept gifts.

Section 1. Be it enacted, &c., That the Department of Forests and Waters is hereby authorized to receive gifts, donations, or contributions from townships, counties, corporations, associations, individuals, or other agencies, for purposes within the powers and duties of the Department of Forests and Waters.

Employed for pur-
pose specified by
donors.

Section 2. Any gifts, donations, or contributions received under the provisions of this act, shall be employed for the purpose or purposes specified by the donors to whom an accounting shall be made.

Excess amount to
be returned to do-
nors.

Section 3. If any gift, donation, or contribution of money received under the provisions of this act was in such amount as the Department of Forests and Waters estimated would be necessary to accomplish a specific purpose, and it shall subsequently appear that such estimated amount was in excess of the actual amount necessary to accomplish such purpose, the excess shall be returned to the donor.

APPROVED—The 26th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 54.

AN ACT

To amend sections two and six of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, four hundred and eighty-three), entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions.

Practice act.

Section 2, act
May 14, 1915 (P.
L. 483), amended.

Section 1. Be it enacted, &c., That section two of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, four hundred and eighty-three), entitled "An act relating

to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," is hereby amended to read as follows:

THE PLEADINGS GENERALLY.

Section 2. The pleadings shall consist of the plaintiff's statement of claim, the defendant's affidavit of defense, and, where a set-off or counter-claim, or *new matter* is pleaded, the plaintiff's reply thereto. When the affidavit of defense, or, where a set-off or counter-claim, or *new matter* is pleaded, the plaintiff's reply thereto, is filed, the pleadings shall be closed and the case shall be deemed to be at issue, and no replication or formal joinder of issue shall be required.

Section 2. That section six of said act is hereby amended to read as follows:

Section 6. Every allegation of fact in the plaintiff's statement of claim, or in the defendant's set-off or counter-claim, or *new matter*, if not denied specifically or by necessary implication in the affidavit of defense, or plaintiff's reply, as the case may be, or if no affidavit of defense or plaintiff's reply be filed, shall be taken to be admitted, except as against an infant, a person of unsound mind, or one sued in a representative capacity as provided in section seven, and except as provided in section thirteen.

Section 6 amended.

APPROVED—The 30th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 55.

AN ACT

To amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the payment of a State annuity to employes who separated from school service prior to the establishment of the Retirement System.

Section 1. Be it enacted, &c., That section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and forty-three), entitled "An act

Public school employes' retirement system.

Section 14, act of July 18, 1917 (P. L. 1043), amended.