

No. 438

AN ACT

Authorizing the use of certain moneys in the Motor License Fund for township reward and State-aid construction, and for certain purposes in counties of the first class, and making the necessary appropriation from the Motor License Fund therefor.

Section 1. Be it enacted, &c., That for the period commencing on the first day of June, one thousand nine hundred and twenty-seven, and ending on the thirty-first day of May, one thousand nine hundred and twenty-nine, the sum of four million dollars (\$4,000,000) shall be distributed by the Secretary of Highways for the payment of township reward, in the manner now prescribed by law for the distribution of township reward; and the sum of five million dollars (\$5,000,000) shall be allocated by the Secretary of Highways to the several counties for State-aid construction, as now provided by existing laws relative to distribution of State-aid funds; and the sum of five hundred thousand dollars (\$500,000) shall be paid to the counties of the first class, on orders of the Secretary of Highways, for the purposes of constructing, reconstructing, maintaining and repairing the roads and highways of such counties, and of cities coextensive with such counties. Said payments shall be made from the Motor License Fund, and, for such purposes, so much of the moneys in said Motor License Fund are hereby specifically appropriated.

Motor License Fund.

Use for township reward, State-aid, and roads in counties of first class.

Appropriation.

APPROVED—The 7th day of May, A. D. 1927, except as to the following item:

The item which provides as follows: "for the period commencing on the first day of June, one thousand nine hundred and twenty-seven, and ending on the thirty-first day of May, one thousand nine hundred and twenty-nine, the sum of four million dollars (\$4,000,000) shall be distributed by the Secretary of Highways for the payment of township reward, in the manner now prescribed by law for the distribution of township reward." I approve this item in the sum of three million dollars (\$3,000,000). I withhold my approval from the remainder of said item because of insufficient State revenue.

JOHN S. FISHER

No. 439

AN ACT

To amend section five, clause (c), of the act, approved the twenty-third day of May, one thousand eight hundred and eighty-seven (Pamphlet Laws, one hundred fifty-eight), entitled "An act relating to the competency of witnesses and to the rules of evidence in civil and criminal cases, revising, declaring and consolidating some of the existing acts and rules of law upon these subjects and also extending some of the provisions of the same," making husband and wife competent witnesses in feme sole trader proceedings.

Section 1. Be it enacted, &c., That section five, clause (c), of the act, approved the twenty-third day of May, one thousand eight hundred and eighty-seven (Pamphlet Laws, one hundred fifty-eight), entitled "An act relating

Witnesses.

Section 5, clause (c), of act of May 23, 1887 (P. L. 158), amended.

to the competency of witnesses and to the rules of evidence in civil and criminal cases, revising, declaring and consolidating some of the existing acts and rules of law upon these subjects, and also extending some of the provisions of the same," is hereby amended to read as follows:

Confidential communications between husband and wife.

Exceptions.

(c) Nor shall husband and wife be competent or permitted to testify against each other, *except in proceedings brought by a wife to be declared a feme sole trader, and except also in those proceedings for divorce in which personal service of the subpoena or of a rule to take depositions has been made upon the opposite party, or in which the opposite party appears and defends, in which case either may testify fully against the other, and except also that in any proceeding for divorce either party may be called merely to prove the fact of marriage.*

APPROVED—The 10th day of May, A. D. 1927.

JOHN S. FISHER

No. 440

AN ACT

To amend the act approved the seventh day of April, Anno Domini one thousand nine hundred and twenty-five (Pamphlet Laws, one hundred and eighty-eight), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any State or Commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any State or Commonwealth of the United States; and to any institution maintained by, or receiving aid from, any State or Commonwealth of the United States or any organized subdivision thereof"; to include the sale of surplus printing, authorizing the execution of contracts for sale of surplus, of bonds conditional for performance of such contracts, and providing for payment of premium thereon.

Department of Welfare.

Act of April 7, 1925 (P. L. 188), amended.

Surplus products of prison industries may be sold.

Section 1. Be it enacted, &c., That the Department of Welfare is hereby authorized and empowered to sell to the Government of the United States, including all departments, bureaus, commissions, and all agencies thereof existing under acts of the Congress of the United States; and to the Government of any State or Commonwealth of the United States; and to any county, city, borough, township, *school district*, or other organized subdivision of any State or Commonwealth of the United States; and to any institution maintained by, or receiving aid from, any State or Commonwealth of the United States, or any organized subdivision thereof, such surplus *printing* or products *printed*, manufactured, or prepared in the industries established by the Department of Welfare in the Eastern Penitentiary, the Western Penitentiary, the Pennsylvania Industrial Reformatory at Huntingdon, *Pennsylvania*, and any other correctional institution of this Com-