

as if the property was being sold at a first sale on a tax claim, as provided in Articles III and VI, except that it shall be a simple public sale with no upset price, and shall divest only the lien of tax claims and tax judgments. The purchaser of any such property shall be given a deed, executed and acknowledged as hereinbefore provided, which shall convey title free, clear and discharged of all tax claims and tax judgments, whether or not returned, filed or entered as provided by this or any other act. The notices to be given of such sale, as required in Article VI, shall state that there is no upset price and that the sale shall divest only the lien of taxes and tax judgments.

(b) In lieu of the public sale provided for in the preceding subsection, or if such sale is held but the property is not sold due to the absence of any bid, the bureau, upon written request of any such interested taxing authorities, may sell such property upon petition to court for an order to sell clear and free of all claims, liens, mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid. The sale of properties turned over to the bureau under the provisions of this article shall, except as herein otherwise provided, be subject to all the provisions of Article VI in so far as they may be applicable, and when sold at public sale by order of court, as above provided, such properties shall be sold free and discharged from all tax and municipal claims, mortgages, liens, charges and estates whatsoever.

[It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners or trustee, as above provided, but is not sold because of insufficient bid, the property shall thereafter be sold by order of court as herein provided freed and discharged from all liens and encumbrances as provided under Article VI.]

APPROVED—The 18th day of January, A. D. 1952.

JOHN S. FINE

No. 596

AN ACT

To amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for the payment of service increments to such employees in addition to their retirement allowances.

"The Third Class City Code."

Sections 4301 and 4303, act of June 23, 1931, P. L. 932, as reenacted and amended by act of June 28, 1951 (Act No. 164), further amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 4301 and 4303 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," as reenacted and amended by the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (Act No. 164), are hereby further amended to read as follows:

Section 4301. Police Pension Fund; Direction of.—Cities shall establish, by ordinance, a police pension fund, to be maintained by an equal and proportionate monthly charge against each member of the police force, which shall not exceed annually three per centum of the pay of such member; which fund shall at all times be under the direction and control of council but may be committed to the custody and management of such officers of the city or citizens thereof, or corporations located therein, as may be designated by council, and applied, under such regulations as council may, by ordinance, prescribe, for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service, but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale, *together with service increments as hereinafter provided.* Any compensation paid to a corporate custodian of the police pension fund shall be paid from the general fund of the city.

Section 4303. Allowances and Service Increments.—
(a) Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, and, *except as to service increments provided for in subsection (b) of this section,* shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate.

(b) *In addition to the retirement allowance which is authorized to be paid from the police pension fund by this act, and notwithstanding the limitations therein placed upon such retirement allowances and upon contributions, every contributor who shall become entitled to the retirement allowance shall also be entitled to the payment of a "service increment" in accordance with and subject to the conditions hereinafter set forth.*

(1) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by ordinance during which a contributor has been employed by such city and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month.

(2) Each contributor, from and after the effective date of this amendment, shall pay into the retirement fund a monthly sum in addition to his or her retirement contribution, which shall be equal to one-half of one per centum of his or her salary: Provided, That such payment shall not exceed the sum of one dollar (\$1.00) per month: And provided, That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years.

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday.

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions, and may be withdrawn in full, without interest, by persons who leave the employment of such city, subject to the same conditions by which retirement contributions may be withdrawn.

(5) All members of the police force who are now contributors to the retirement fund and all those employed by the city after the effective date of this amendment, if required to become contributors to the retirement fund, shall be subject to the provisions of this act.

Section 2. The provisions of this act shall become effective the first day of January, one thousand nine hundred fifty-two.

Act effective
January 1, 1952.

APPROVED—The 18th day of January, A. D. 1952.

JOHN S. FINE