

Conditions.

The conveyance or conveyances of the above two tracts shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipe line companies, as well as under and subject to any estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Approval and execution of deed.

Section 2. The deed or deeds of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Disposition of proceeds.

Section 3. All moneys received from the sale of the land shall be deposited in the General Fund.

Act effective immediately.

Section 4. This act shall take effect immediately.

APPROVED—The 27th day of July, A. D. 1959.

DAVID L. LAWRENCE

No. 180

AN ACT

Amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," authorizing a pension to widows of employes retired on pension or killed in the service, and providing for an increase in contributions into the retirement fund if council elects to pay such a pension.

Titles of the third class retirement system.

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

Section 4, act of May 23, 1945, P. L. 903, amended by adding a new subsection (d).

Section 1. Section 4, act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," is amended by adding, at the end thereof, a new subsection to read:

Section 4. * * *

Entitlement of certain widows.

(d) *If council elects by ordinance to make such payments, the widow of an employe who retires on pension or is killed in the service on or after January 1, 1960, shall, during her lifetime or so long as she does not remarry, be entitled to receive a pension calculated at the rate of fifty (50) per centum of the pension the employe was receiving or would have been receiving had he been retired at the time of his death.*

Section 2. The first paragraph of section 5 of the act is amended to read:

First paragraph, section 5, act of May 23, 1945, P. L. 903, amended.

Section 5. The officers and employes of any city, creating such fund and board, shall, upon the acceptance of this act, pay unto said board monthly an amount equal to three (3) per centum of their monthly salaries or wages, *and if the council elects to make such payments, an additional amount not to exceed one per centum if deemed necessary by the council to provide sufficient funds for payments to widows of members retired on pension or killed in the service*, except as hereinafter provided concerning laborers, which shall be applied to the purpose of this act.

Monthly assessment.

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Section 3. Section 10 of the act amended September 29, 1951 (P. L. 1644), is amended to read:

Section 10, act of May 23, 1945, P. L. 903, amended September 29, 1951, P. L. 1644, further amended.

Section 10. The councils of the cities shall annually set aside, apportion and appropriate out of all taxes and income of such city unto the board, a sum sufficient to maintain the compensation due under this act, not, however, to exceed in any one year an amount in excess of the proceeds of one-half of one mill on the assessed valuation of the city for city purposes. *The council may exceed the limitations imposed by this section, if an additional amount is deemed necessary, to provide sufficient funds for payments to widows of members retired on pension or killed in the service.*

Appropriation from cities.

APPROVED—The 27th day of July, A. D. 1959.

DAVID L. LAWRENCE

No. 181

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing payments to widows of policemen, firemen and employes retired on pension or killed in the service, and providing for an increase in contributions into the retirement fund if council elects to make such payments.

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

The Third Class City Code.

Section 1. Section 4301, act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662) and amended January 18, 1951 (P. L. 2105), is amended to read:

Section 4301, act of June 23, 1931, P. L. 932, reenacted and amended June 28, 1951, P. L. 662, and amended January 18, 1951, P. L. 2105, further amended.

Section 4301. Police Pension Fund; Direction of.—Cities shall establish, by ordinance, a police pension fund,