

Section 24. On the probate of any will and the granting of letters testamentary thereon, also on the granting of any letters of administration, every register shall demand and receive, for the use of the Commonwealth, in each case, the sum of *one dollar*.

Fees.

Letters testamentary or of administration

APPROVED—The 6th day of April, A. D. 1921.

WM. C. SPROUL.

AN ACT

No. 58.

Relating to apiculture, and the sale, giving, and transportation of bees, honey, hives, and appliances; providing for the inspection of apiaries, and for the prevention, control, and eradication of contagious and infectious diseases among bees, and the establishment of quarantines; prescribing the style of hive to be used after July first, one thousand nine hundred and twenty-three; imposing certain duties on certain persons engaged in transportation; and providing penalties and appropriations therefor.

Section 1. Be it enacted, &c., That, for the purpose of construing this act, the following definitions shall be applied:

Bees.

Definitions.

(1) The singular number of any noun or verb shall include the plural, and the plural number shall include the singular.

Number.

(2) The word "person" shall include all corporations, partnerships, unincorporated associations, societies, individuals, and any group or combination of individuals. The act, omission, or neglect of any officer, agent, servant, or employe, acting for or employed by any person as above defined, within the scope of his employment or office, shall in every case be deemed to be the act, omission, or neglect of such person, as well as that of such officer, agent, servant, or employe.

"Person."

(3) "Bees" shall be construed to mean any stage of the common hive or honey-bee. (*Apis mellifera*.)

"Bees."

(4) "Bee diseases" shall be construed to mean American or European foul brood, sac brood, bee paralysis, or any other disease or abnormal condition of eggs, larval, pupal, or adult stages of the honey-bee.

"Bee diseases."

(5) "Apiary" shall be construed to mean any place where one or more colonies or nuclei of bees are kept.

"Apiary."

(6) "Queen apiaries" shall be construed to mean any apiary or premises in which queen bees are reared or kept for sale or gift.

"Queen apiary."

(7) "Hive" shall be construed to mean frame hive, box hive, box, barrel, log, gum, skep or any other receptacle or container, natural or artificial, or any part thereof, which may be used or employed as a domicile for bees.

"Hive."

"Appliances."

(S) "Appliances" shall be construed to mean any apparatus, tools, machine, or other device, used in the handling and manipulating of bees, honey, wax, and hives. It shall also include any container of honey and wax which may be used in any apiary or in transporting bees and their products and apiary supplies.

Apiary advisers.

Section 2. The Secretary of Agriculture shall appoint a chief apiary adviser and such deputy apiary advisers as may be necessary, who shall be attached to the Bureau of Plant Industry of the Department of Agriculture. Such advisers shall be furnished with official badges or other insignia of authority. The Secretary of Agriculture, the Bureau of Plant Industry of the Department of Agriculture, and the chief and deputy apiary advisers are hereby specifically charged with the enforcement of the provisions of this act.

Badges.

Enforcement of act.

Quarantines.

Section 3. The Secretary of Agriculture is hereby authorized to establish, modify, and maintain such quarantines as may be necessary, and to control the shipment into or within this State of any bees, queen bees, hives, or appliances, capable of transmitting any bee disease, for such periods and under such conditions as he may in his discretion deem necessary, in order to control and eradicate any bee disease or to prevent its introduction, spread, or dissemination within this Commonwealth; and for such purposes he may make and promulgate such rules, regulations, and orders relating thereto and to the general enforcement of the provisions of this act as may be necessary.

Rules and regulations.

Inspection of queen apiaries.

Notification to owner of presence of disease.

Certificate.

Inspection of apiaries.

Section 4. The Secretary of Agriculture, through the chief apiary adviser and deputy apiary advisers, shall, at least twice during each summer season, inspect all queen apiaries. If from such inspection it shall appear that any bee disease exists in such queen apiary, the apiary adviser making the inspection shall immediately notify, in writing, the owner or person in charge thereof; and thereafter it shall be unlawful for such person to ship, sell, or give away any queen bees from such apiary until such disease shall have been destroyed, and a certificate of that fact shall have been obtained from the chief apiary adviser. If upon such inspection it is found that no bee disease exists in such queen apiary, the chief apiary adviser shall issue a certificate of such fact, a copy of which shall be attached to each package or shipment of queen bees transported from such apiary. Such certificate shall be valid for one year from the date of its issue unless revoked for cause.

Section 5. The Secretary of Agriculture, through the chief apiary adviser and deputy apiary advisers, shall, so far as practicable, inspect all apiaries within the Commonwealth. If upon such inspection it is found that any bee disease exists in such apiary, the adviser

making the inspection shall immediately notify, in writing, the owner or person in charge of such apiary, stating the nature of the disease and whether the same may be successfully treated or not. In case the disease may be successfully treated, the adviser shall specify and direct the necessary treatment, which shall be administered by the owner or person in charge within fourteen days thereafter.

Notification to owner of presence of disease.

The written notices required by the fourth and fifth sections of this act may be served by handing a copy thereof to the owner or person in charge of the apiary, or by leaving a copy thereof with an adult person residing upon the premises, or by registered mail addressed to the owner or person in charge of such apiary at his last known or reputed address.

Service of notices.

Section 6. Infected shipments, apiaries wherein the existing disease can not be successfully treated, and apiaries which are affected by disease amenable to treatment, but which have not been treated within a period of fourteen days after the owner thereof shall have received notice of the necessary treatment, as hereinbefore provided, are hereby declared to be a public nuisance and a menace to the community, and the Director of the Bureau of Plant Industry or his authorized agent may destroy, by burning or otherwise, without any remuneration to the owner, any infected bees, hives, honey, or appliances found therein.

Infected shipments and apiaries.

Public nuisance.

Destruction.

Section 7. It shall be unlawful for any person knowingly to keep in his possession, without proper treatment, any colony of bees affected with any bee disease, or to expose any diseased colony or infected hive or appliance so that flying bees may have access to them.

Keeping affected colonies or appliances.

Section 8. It shall be unlawful for any person to sell, barter, or give away, accept, receive, or transport any bees affected with any bee disease.

Dealing in affected bees.

Section 9. On and after July first, one thousand nine hundred and twenty-three, it shall be unlawful for any person to keep or maintain honey-bees in any hive other than a modern movable frame hive which permits thorough examination of every comb to determine the presence of bee disease. All other types of hives or receptacles for bees which are in use after the said date are hereby declared to be a public nuisance and a menace to the community, and the Secretary of Agriculture, the chief apiary adviser or any deputy apiary advisers may seize and destroy the same without remuneration to the owner.

Character of hives.

Section 10. The Secretary of Agriculture, the chief apiary adviser, the deputy apiary advisers, and any agent, servant, or employe, duly authorized by any of them, shall have free access, ingress, and egress to and from any apiary, premise, building, or other place, public or private, in which bees, queen bees, wax,

Searches and seizures.

honey, hives, or appliances may be kept or stored. It shall be unlawful for any person to deny to such duly authorized officer or agent access to any such place or to hinder or resist the inspection of such premises.

Transportation.

Certificate.

Section 11. It shall be unlawful for any person to transport bees, hives, or appliances into this Commonwealth, unless the same shall be accompanied with a certificate of inspection signed by the chief apiary adviser or corresponding inspection official of the State or country from which such bees are being transported. Such certificate shall certify that actual inspection of the bees was made within thirty days preceding the date of shipment, and that the bees, hives, and appliances contained in the shipment are free from bee diseases. It shall be the duty of any officer, agent, servant, or employe of any person, firm, or corporation, engaged in transportation, who shall receive a shipment of bees, consigned to a point within this Commonwealth and not having attached thereto a certificate as aforesaid, to immediately notify the Secretary of Agriculture, and to hold such shipment subject to his orders for a period of fifteen days.

Application for inspection.

Section 12. Every person engaged in rearing queen bees and bees for sale or gift shall, on or before the first day of April of each year, make application in writing to the chief apiary adviser for the inspection and certification of his apiary or apiaries.

Violations.

Penalty.

Jurisdiction.

Proviso.

Appropriations

Section 13. Any person convicted of violating any of the provisions of this act, or any order, rule, or regulation promulgated by the Secretary of Agriculture under the authority hereof, shall be subject to a fine or penalty of not less than ten dollars nor more than one hundred dollars (\$100), to be collected by summary conviction before any mayor, burgess, magistrate, alderman, or justice of the peace, as like fines and penalties are now by law collected, or, in case of non-payment of such fine, to undergo imprisonment in the county jail for a period not exceeding ten days: Provided, That any person so convicted shall have the right of appeal as in other cases of summary convictions. All fines collected under this act shall be paid into the State Treasury.

Section 14. Appropriations of the amount necessary for carrying out the provisions of this act shall be made by the General Assembly at the time of making appropriations for the general expenses of the Department of Agriculture.

Act of May 5,  
1911 (P. L. 179),  
repealed.

Section 15. The act of Assembly, entitled "An act to supplement an act, passed by the General Assembly and approved March thirty-first, one thousand nine hundred and five, entitled 'An act to provide for the protection of trees, shrubs, vines, and plants against destructive insects and diseases; providing for the

enforcement of this act and the expenses connected therewith, and fixing penalties for its violation'; to provide for the inspection of apiaries, and for the suppression of contagious or infectious diseases among bees, and making appropriations therefor," approved the fifth day of May, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws, one hundred and seventy-nine), is hereby repealed. All other acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

APPROVED—The 6th day of April, A. D. 1921.

WM. C. SPROUL.

NO. 59.

AN ACT

Relating to the jurisdiction, powers, and procedure of the court of common pleas as to sale, mortgage, conveyance upon ground rent, and lease for years of real estate, where the legal title is held by a married person whose spouse is an habitual drunkard, and providing for the disposition of the proceeds thereof

Section 1. Be it enacted, &c., That the courts of Real estate.  
 common pleas of the several counties of this Commonwealth, in all cases where the legal title to real estate is held by a married woman or a married man whose Owned by spouse of drunkard.  
 spouse is an habitual drunkard duly so found by inquisition, shall have power to direct and authorize said married woman or married man to sell, mortgage, lease Sale, etc., by order of court  
 for years, and convey upon ground rent, the same or any part thereof, under the direction of said court of the proper county, whenever it shall appear to said court that said spouse is an habitual drunkard and that it is the interest of the owner of said real estate that the same should be sold, mortgaged, leased for years, or conveyed on ground rent, as the case may be: Provision for support.  
 Provided, however, Where said spouse has no estate in his or her own right or one inadequate to his or her support, it shall be in the discretion of said court, by their order and decree, to make a reasonable provision for his or her support and maintenance out of said rents or proceeds of sale or mortgage so long as said spouse shall continue an habitual drunkard: Proviso.  
 Provided further, That such sale shall divest said real estate from any estate or claim of dower and estate as tenants by the curtesy or any claim in the nature thereof.

Section 2. All jurisdiction conferred by this act on the court of common pleas shall be exercised on the petition of the spouse holding legal title to said real estate, supported by oath or affirmation. Procedure.  
 Upon the