

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.

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," is hereby amended to read as follows:

Section 14. Retirement for superannuation shall be as follows:

Contributing employe 62 years of age.

1. Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the Retirement Board a written statement, duly attested, setting forth at what time, subsequent to the execution of said application, he or she desires to be retired. Said application shall retire said contributor at the time so specified, or, in the discretion of the Retirement Board, at the end of the school term in which the time so specified occurs.

Contributor 70 years of age.

2. Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the Retirement Board, for superannuation, forthwith, or at the end of the school term in which said age of seventy years is attained.

Allowance on Superannuation Retirement.

3. On retirement for superannuation, a contributor who is an employe shall receive a retirement allowance which shall consist of:

Teacher's annuity.

(a) A teacher's annuity, which shall be the actuarial equivalent of his or her accumulated deductions; and

State annuity.

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service prior to the age of sixty-two years; and

Further State annuity.

(c) In addition thereto, if a present employe, a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service, as certified to said present employe in the certificate issued to him or her by the Retirement Board under the provisions of section ten of this act. [But in no event shall the total State annuity exceed fifty per centum of his or her final salary.]

Teacher separated from service prior to July 1, 1919.

4. Any person sixty-two years of age or older who was a class-room teacher in the public schools of Pennsylvania for at least twenty years, and who separated from school service for any reason prior to the first day of July, one thousand nine hundred and nineteen; or any person who was a class-room teacher in the

public schools of Pennsylvania for at least fifteen years, and who separated from school service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen, and who still is unable to teach because of such disability, shall receive a State annuity equal to one eightieth of his or her final salary for each year of school service. For this purpose there is hereby created a "Former Teachers' Fund," to which the General Assembly shall from time to time appropriate moneys sufficient to make payments under this sub-section: Provided, That any teacher who is entitled to receive a State annuity hereunder, and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the "Former Teachers' Fund" only the difference between the annuity to which such teacher would otherwise be entitled under the provisions of this sub-section and the annual amount received by such teacher from such local teachers' retirement system.

Annuity.

"Former Teachers' Fund."

Provide.

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

GIFFORD PINCHOT.

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No. 56.

AN ACT

To repeal an act approved the ninth day of April, one thousand eight hundred and sixty-nine (Pamphlet Laws, seven hundred eighty-six), entitled "An act to prevent the firing of mountain and other wild lands in the county of Union."

Section 1. Be it enacted, &c., That an act approved the ninth day of April, one thousand eight hundred and sixty-nine (Pamphlet Laws, seven hundred eighty-six), entitled "An act to prevent the firing of mountain and other wild lands in the county of Union," is hereby repealed.

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

GIFFORD PINCHOT.