

its discretion, upon the joint petition of the widow and heirs or devisees, and the guardians or committees of such as are minors or under disability, in whom the real estate of the decedent shall have vested by descent or will, and legatees whose legacies are charged on said real estate, or the representatives of such as may be deceased or under disability, to order the executor or administrator, or a trustee to be appointed by said court, to make sale of said real estate, but in no such proceedings shall it be necessary for the spouse or spouses of any such party or parties to join in such petition. Such petition shall set forth the description of the property, the desire to have the same sold, and its estimated value according to the affidavits of two disinterested and competent persons, and said petition shall be duly sworn to. Said order shall provide that, before making sale, the executor, administrator, or trustee shall [give] *file a bond, [in double the estimated value of the said real estate] with sureties, as required in section twenty-five of the Orphans' Court Partition Act of One Thousand Nine Hundred and Seventeen*, and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition. The proceeds of such sale, after payment of the expenses thereof, shall be distributed to and among those entitled thereto, the same as real estate. Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act.

Petition.

Bond.

Proceeds
of sale.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 90

AN ACT

Providing for the acquisition of land, and the erection, construction and maintenance of jails and/or workhouses by cities of the first class; providing for their management and control of same by the inspectors of existing jails or prisons, and the transfer of prisoners by such inspectors.

Section 1. Be it enacted, &c., That hereafter cities of the first class have power to acquire ground for, and to erect, construct and maintain, jails and/or workhouses, to which jails and/or workhouses prisoners may be committed by the several courts of the county wherein such cities are situate, or by other legal process, in the manner now provided by law for such commitments to county jails and/or workhouses.

Cities of
first class.Jails and
workhouses.Erection and
maintenance
authorized.

Section 2. The city council of any such city is authorized to use any suitable lands already held for city purposes, or to acquire any quantity of lands within the

Acquisition
of land.

Land may be adjacent county.	county or in any adjacent county, or partly within and partly in an adjacent county, not exceeding five hundred acres, either with or without buildings thereon erected, and to repair existing buildings, or erect or construct such new buildings and structures and make such improvements thereon as may be deemed necessary and convenient for a jail and/or workhouse. The title to said property shall be taken in the name of the city.
Title.	
Consent of other municipalities.	No lands shall be acquired without the limits of the county of such city unless the corporate authorities of the county and of any city, borough, or township, in which such lands are located, have, by resolution duly adopted, consented to such acquisition.
Eminent domain.	Section 3. In case the ground so selected by the council for such purposes cannot be obtained by agreement with the owner or owners at a price reasonable in the estimation of said council, or when, by reason of the absence or legal incapacity of any such owner or owners, no such price or value can be agreed upon, the city council may proceed to acquire the same by the exercise of the right of eminent domain, and the proceedings for the ascertainment of damages for such property, land or materials taken, injured or destroyed shall be in the manner and subject to the restrictions and procedure provided by the act, approved the sixteenth day of May, one thousand eight hundred and ninety-one (Pamphlet Laws, seventy-five), entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom," and the amendments and supplements thereto.
Procedure.	
Construction.	Section 4. Every jail, which shall be erected and constructed under the provisions of this act, shall be so constructed that every person committed thereto, whether upon conviction or otherwise, may be confined separate and apart from every other person committed thereto, due regard being had in the plan of construction to the health of the persons to be so confined. The plans for any such jail and/or workhouse shall be approved by the Department of Welfare before the erection and construction is commenced.
Approval of plans.	
Duties of prison inspectors.	Section 5. Every jail and/or workhouse, erected under the provisions of this act, shall be erected under the supervision, direction and control of the inspectors then in charge of the other jails or prisons which have been

established and exist in the county wherein such city is located; and, so soon as any jail and/or workhouse is erected and prepared for the reception of prisoners, it shall be the duty of said inspectors to take charge of same, and, if they deem it advisable, they may remove or cause to be removed thereto any or all persons who may then be confined in any prison or jail under their control, there to be kept, treated and governed according to such rules and regulations as the said inspectors, with the approbation of the proper court or courts of said county, may, from time to time, ordain and establish: Provided, always, That the same be not inconsistent with or contrary to the constitution and laws of this Commonwealth and the provisions of this act.

Removal of prisoners.

Proviso.

Section 6. Said inspectors shall exercise all the functions, perform all the duties, and have all the powers over any jail and/or workhouse erected under the provisions of this act and over all the inmates and employes therein and thereof as they now exercise, perform, and have over the present jails and prisons, inmates, and employes under their charge. They shall appoint superintendents, matrons, wardens, physicians, keepers, clerks and other employes, and fix their salaries and compensation.

Powers and duties of inspectors.

Appointment of employes.

APPROVED—The 13th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 91

AN ACT

To amend the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-one), entitled "An act regulating the satisfaction of mortgages, when payment of the same has been made in full, and the mortgagee or legal holder or holders thereof have failed to enter satisfaction upon record," by including the equitable holder or holders of mortgages, providing that the petition for satisfaction may be made by any party in interest, and further regulating the procedure for such satisfaction.

Section 1. Be it enacted, &c., That the act, approved the eleventh day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred forty-one), entitled "An act regulating the satisfaction of mortgages, when payment of the same has been made in full, and the mortgagee or legal holder or holders thereof have failed to enter satisfaction upon record," is hereby amended to read as follows:

Mortgages.

Act of June 11, 1879 (P. L. 141), amended.

Section 1. Be it enacted, &c., That in all cases where payment has been made of all the money or amount due or to become due [in] on any mortgage, and the legal

Satisfaction where legal or equitable holder fails to enter same on record.