

Subsection (b), section 1, act of April 24, 1947, P. L. 89, amended May 22, 1953, P. L. 216, further amended.

Section 1. Subsection (b) of section 1, act of April 24, 1947 (P. L. 89), known as the "Wills Act of 1947," amended May 22, 1953 (P. L. 216), is amended to read:

Section 1. Who May Make a Will.—

* * * * *

(b) Persons in Military Service and Mariners. Any person of sound mind eighteen years of age or older and being in the Armed Forces of the United States in active service at home or abroad, or being a mariner on land or at sea, may by will dispose of all his real and personal estate subject to payment of debts and charges. [and] *He* may thereafter revoke such will [whether or not the United States is engaged in war and] whether or not he is still in such service or is a mariner.

Clause (13), section 14 of the act amended.

Section 2. Clause (13) of section 14 of the act is amended to read:

Section 14. Rules of Interpretation.—In the absence of a contrary intent appearing therein, *wills shall be construed as to real and personal estate in accordance with the following rules:

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(13) Lien of Pecuniary Legacies. Pecuniary legacies of one hundred dollars or less shall not be a charge on any of the testator's real estate. All pecuniary legacies in excess of the principal sum of one hundred dollars shall be charged upon [, and payable out of,] any real estate not specifically devised [, where the personal estate is or becomes insufficient for their payment].

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Act effective immediately.

Section 3. This act shall take effect immediately.

APPROVED—The 14th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 195

AN ACT

Amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," further regulating the issuance of hunting licenses for antlerless deer season and providing a penalty.

The Game Law.

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

* "will" in original.

Section 1. Subsection (c) and the first paragraph of subsection (e) of section 501, act of June 3, 1937 (P. L. 1225), known as "The Game Law," subsection (c), amended January 14, 1952 (P. L. 2023) *and subsection (e), amended June 14, 1957 (P. L. 307) and June 28, 1957 (P. L. 398), are amended to read:

Subsection (c), and first paragraph of subsection (e), section 501, act of June 3, 1937, P. L. 1225, subsection (c), amended January 14, 1952, P. L. 2023, and subsection (e), amended June 14, 1957, P. L. 307 and June 28, 1957, P. L. 398, further amended.

Section 501. Open Seasons.—After investigation, or information otherwise obtained by the commission, as to the annual game supply, the commission may, by appropriate rules and regulations, a summary of which shall be published as hereinafter specified, fix seasons, shooting hours, and daily, season and possession limits, or remove protection and declare an open season, or increase, reduce or close seasons, or increase or reduce bag limits, for all species of game birds and game animals throughout the Commonwealth, or in any part thereof, or limit the number of hunters in any designated area and prescribe the methods of hunting therein, when in its opinion, such action is necessary to assure the maintenance of an adequate supply of such species, or when an unbalanced sex ratio exists which in its opinion should be corrected, or when, in the opinion of the commission, such additional open season will not jeopardize the future supply of game.

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(c) Resident and Nonresident Hunters' Licenses and Tags for **Antlerless Deer.—If in any year the commission, by resolution, declares an open season for antlerless deer, it shall issue resident and nonresident hunters' licenses and tags for antlerless deer to hunt for or kill such deer, at a fee of one dollar fifteen cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth, provided public notice of such action is given as hereinafter required: And provided, however, That no applications, for antlerless deer licenses received from nonresidents shall be approved or licenses issued [, except during a period of thirty (30) days immediately preceding the opening date] *in advance of thirty days prior to the opening date* of such antlerless deer season. Such licenses and tags may be issued only to holders of resident or nonresident hunting licenses.

Resident and nonresident hunters' licenses and tags for antlerless deer shall be issued only by the county treasurers in counties where such deer may be hunted and killed, who, for that purpose, are hereby made agents of the Department of Revenue.

* "and" not in original.

** "Anterless" in original.

For services rendered in collecting and paying over fees and issuing licenses and tags, by mail or otherwise, such agents may retain the sum of fifteen cents from the amount paid by each licensee, which amount shall be paid into the county treasury, except that such agents may retain therefrom any amounts necessary to reimburse them for any expenses, including compensation of employes, incurred in collecting such fees and issuing such licenses and tags.

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county of the Commonwealth, any citizen of the United States residing within the Commonwealth who is a bona fide owner or lessee of lands which lie within the county declared open to the hunting of said deer, or any member of the family or household, or regularly hired help of such owner or lessee, if such person is a citizen of the United States, actually residing upon and cultivating such lands, is hereby declared eligible to hunt antlerless deer without a resident hunters' license for antlerless deer upon said property, and, by and with the consent of the owner thereof, upon the lands immediately adjacent and connected with his own lands, other than lands owned by or under the control of the Commonwealth.

The terms "antlerless deer" and "deer without visible antlers," as used in this subsection or any other provision of the Game Law which this act amends, are hereby defined to mean a deer without an antler sometimes called horn, the term "antler," as herein used or in any other provision of the Game Law which this act amends, meaning the bony growth on the head of a deer regardless of its size or development.

When the commission adopts and promulgates such rules and regulations relative to resident and nonresident hunters' licenses and tags for antlerless deer, it is unlawful for any person other than a landowner or lessee of the county or a member of his household, as hereinbefore enumerated, to hunt for antlerless deer without a resident or nonresident hunters' license and tag for antlerless deer, or to take such deer contrary to the rules and regulations adopted by the commission.

The tag issued with an antlerless deer license shall be displayed on the outer garment immediately below the regular resident or nonresident hunting license tag. Any person who fails to display the tag herein provided shall, upon conviction, be sentenced to pay a fine of ten dollars (\$10) and costs of prosecution, provided it shall be determined the person has purchased a license; otherwise, a penalty of twenty dollars (\$20) and costs of prosecution shall be imposed.

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(e) Open Season For Hunting Deer with Bows and Arrows.—In each year in which there is an open season for hunting deer there shall, in addition, be an open season for hunting deer [of both sexes] with bows and arrows exclusively, unless otherwise declared by resolution of the commission and the provisions of subsection (c) of this section shall not apply thereto. The duration and time of such additional open season, *together with the description of the deer which may be lawfully killed*, shall each year be fixed by the commission. During any such additional open season, it shall be unlawful to hunt for, kill or attempt to kill, any deer, without a license as hereinafter prescribed, or with any weapon other than a bow and arrow, or with any bow other than a long bow controlled without aid of mechanical means, or with any arrow with any explosive in the head or shaft.

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APPROVED—The 14th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 196

AN ACT

Amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," increasing the period of time during which a contributor may be reinstated.

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

Retirement system.

Section 1. Section 17.4, act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," amended August 28, 1959 (P. L. 769), is amended to read:

Section 17.4, act of June 4, 1937, P. L. 1625, amended August 28, 1959, P. L. 769, further amended.

Section 17.4. Reinstatement on Return to County Employment.—Any contributor separated from county employment by dismissal, resignation, or any other reason, except death or retirement, or any county officer having legally withdrawn from the retirement system, who within twelve years from the date of such dismissal, registration or withdrawal or within [six months] *one year* after the effective date of this amendment, whichever is later, returns to county employment and restores to the retirement fund to the credit of the members' annuity reserve account his accumulated deductions as they were at the time of separation, shall have the annuity rights