

Sections seven
and eight
repealed.

Section 2. Sections seven and eight of said act are hereby repealed.

APPROVED—The 25th day of May, A. D. 1921.

WM. C. SPROUL.

No. 411.

AN ACT

Appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity, infancy, and old age, and the prevention, treatment, and cure of disease.

Department of
Health.

Money received
from U. S. for
sanitation, etc.

Section 1. Be it enacted, &c., That all moneys hereafter received by the Treasurer of this Commonwealth from the United States Government for the promotion of sanitation, public health, and health education, preventive medicine, the protection and care of maternity, infancy, and old age, and the prevention, treatment, and cure of disease, now made or to be made, is hereby specifically appropriated to said State Department of Health for such prevention, control, protection, cure, treatment, and promotion.

State Treasurer
shall credit to
general fund.

Section 2. All moneys received hereafter by the State Treasurer and hereby appropriated to the State Department of Health shall be credited by him to the general fund of the said department, and shall be paid out of the State Treasury in the same manner as other appropriations to the State Department of Health are paid.

Payment.

APPROVED—The 24th day of May, A. D. 1921.

WM. C. SPROUL.

No. 412.

AN ACT

To amend section five of an act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, fifteen), entitled "An act relating to nonalcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded nonalcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof."

Nonalcoholic
drinks.

Section 1. Be it enacted, &c., That section five of an act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, fifteen), entitled "An act relating to nonalcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded

nonalcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof," which reads as follows:—

"Section 5. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than *twenty-five* (\$25) dollars nor more than one hundred (\$100) dollars," is hereby amended to read as follows:—

Section 5. (a) Any person who shall violate any of the provisions of the act to which this act is an amendment or any amendment of said act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than *fifty dollars* (\$50) nor more than one hundred dollars (\$100). Upon conviction for any subsequent violation of this act, such person shall be punished by a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200), and by imprisonment in the county jail of not less than *ninety days* nor more than *six months*.

(b) For the purpose of this act, any person against whom a charge is made under this act, who admits his guilt by the payment of a fine before the committing magistrate or in court without indictment, shall be deemed to have been convicted; and such conviction, and any other prior convictions in any court under an indictment, may be shown by testimony in the case or before court when sentence is to be imposed, without a second or other subsequent conviction having been pleaded in the information or the indictment.

(c) The provisions of this act are severable, and in the event of any provision hereof being declared unconstitutional, it is hereby declared as the legislative intent that such unconstitutional provision shall not affect the other provisions of this act.

Section 5, act of March 11, 1909 (P. L. 15), cited for amendment.

Violations.

Penalty.

Subsequent convictions.

Penalty.

Allegation and proof.

Construction of act.

APPROVED—The 25th day of May, A. D. 1921.

WM. C. SPROUL