

firmed within thirty days, unless exceptions thereto are filed. After confirmation of such report, or the disposal of any exceptions, any party interested may appeal from the decision of the court of quarter sessions to the Superior Court.

Section 3. No sewer, system of sewers, or drain shall be constructed under the provisions hereof, unless a resolution of the board of commissioners or board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks. If within twenty days after the last publication, or at any time during the period of publication, taxpayers of the township, whose property valuation is assessed for taxable purposes within the township shall amount to fifty per centum of the total property valuation as assessed for taxable purposes within the township, shall sign, and file in the office of the prothonotary of the court of common pleas of the county in which the township is located, a written protest against the construction of such sewer, sewer system, or drain, then the construction authorized by such resolution shall not be undertaken or proceeded with.

Publication of resolution.

Protest by taxpayers.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 269

AN ACT

To amend clause ten, section three, article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein, and repealing, consolidating, and extending existing laws in relation thereto," as amended.

Section 1. Be it enacted, &c., That clause ten, section three, article five of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," which was amended by section ten of the act, approved the twenty-seventh day of May, one thousand nine hundred and nineteen (Pamphlet Laws, three hundred and ten), entitled "An act to amend and revise an act, entitled 'An act providing for the incorporation, regulation, and

Cities of third class.

Clause 10, section 3, Article V of act of June 27, 1913 (P. L. 568), as amended by act of May 27, 1919 (P. L. 310), further amended.

government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto,' approved the twenty-seventh day of June, Anno Domini one thousand nine hundred and thirteen; enlarging, changing, modifying, and defining certain of the powers of cities of the third class," is hereby further amended to read as follows:

Grading and paving streets, lanes or alleys, including sidewalks.

Assessment.

Foot-front rule.

According to benefits.

Petition of property owners.

Affidavit.

10. To cause to be graded, paved, or macadamized any public street, lane, or alley, or part thereof, *including the sidewalks thereof*, which is now or may hereafter be laid out and opened in any of the said cities, and have the same set with curbstone; and to provide for the payment of the costs and expenses thereof, in whole or in part, by the city, or by the owners of real estate bounding and abutting thereon, which cost and expense upon the abutting real estate shall be assessed according to the foot-front rule, or according to the benefits, as council shall by ordinance determine, except that in case of grading only, the said costs and expense shall be assessed according to benefits. When the costs and expenses, or any part thereof, are to be paid for by the foot-front rule, the city shall assess or cause to be assessed the said cost and expenses upon the real estate bounding or abutting on the line of the improvement, by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street, lane, or alley, or part thereof, *or sidewalk thereof*, to be improved; and the council may provide for an equitable reduction from the frontage of lots at all street, alley, railroad, or like intersections, where, from the peculiar or pointed shape of the lots, an assessment for the full frontage would be inequitable and unequal. When the cost and expenses, or any part thereof, of any grading, paving, macadamizing, or other improvement of any street, lane, or alley, or part thereof, *including the sidewalks thereof*, is to be paid for by the owners of real estate abutting or abounding as aforesaid, according to benefits, the same shall be assessed by viewers appointed by the court of common pleas, as is now or shall be hereafter provided by act of Assembly. But no ordinance shall be passed providing for the paving, macadamizing, grading, or other improvement of any street, avenue, lane, or alley, or part thereof, *including the sidewalks thereof*, at the cost and expense of the abutting property owners in whole or in part, or for the opening, widening, straightening, extending, or vacating thereof, except upon the petition of a majority in number or interest of the owners of property abutting or abounding on the line of the proposed improvement, to be verified by the affidavit of one or more of the petitioners (a

majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition), unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council, in which case council may direct the improvement to be made at the cost, or in part at the cost, of the owners of the abutting property, without petition: Providing, however, That no such ordinance ordering any street or alley, or part thereof, or *sidewalks thereof*, to be thus improved, at the cost and expense of the abutting property owners in whole or in part, without a petition therefor, shall be finally passed in a less period than thirty days from the date of its introduction; and, in the meantime, copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks, once a week, immediately following the introduction thereof, and, in case said city shall have no official newspaper, then in at least one and not more than two newspapers published in the county in which such city is situate, once a week for three consecutive weeks: Provided, however, That the requirements for such publication shall not preclude the amendment of any paving ordinance as to the kind of pavement with which any street or alley, or part thereof, or *sidewalk*, is proposed to be paved. The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor, and the publication of the names of the petitioners in one newspaper, or newspapers, published in said city, and, in case no paper is published in said city, then in one newspaper published in the county in which said city is situate, by one insertion, at least five days before the passage of said ordinance, shall be conclusive that a majority in number or interest (as the case may be) have petitioned therefor. The cost and expenses of any improvement of streets and construction of sewers, done and completed under an ordinance providing for the assessment of the cost and expenses thereof, under the foot-front rule, may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the respective work, which assessment according to benefits shall be made in like manner and with like effect as if the original ordinance providing for the improvement had therein provided for such assessment.

Passage of ordinance by affirmative vote of four members.

Proviso.

Publication of ordinances.

Proviso.

Publication of names of petitioners.

Cost and expense

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 270

AN ACT

Providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania State Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties.

Identification of criminals.

Recording the identification of criminals.

Persons in charge of penal institutions to furnish information.

Police officers may take finger prints or photographs of criminals.

Chiefs of bureaus of cities to report finger prints.

Pennsylvania State Police to compare finger prints with files.

Pennsylvania State Police to cooperate with other agencies and to furnish information.

Section 1. Be it enacted, &c., That from and after the passage of this act, the Pennsylvania State Police shall continue to procure and file for record photographs, pictures, descriptions, finger prints, and such other information as may be pertinent, of all persons who have been, or may hereafter be, convicted of crime within this Commonwealth, and also of all well-known and habitual criminals wherever they may be procured.

Section 2. It shall be the duty of the persons in charge of any State penal institution, or of any jail, prison, or workhouse within this Commonwealth, to furnish to the Pennsylvania State Police, upon request, the finger prints, photographs, and description of any person detained in such institution, jail, prison, or workhouse.

Section 3. The Pennsylvania State Police, the persons in charge of State penal institutions, the wardens or keepers of jails, prisons, and workhouses within this Commonwealth, and all police officers within the several political subdivisions of this Commonwealth, shall have the authority to take, or cause to be taken, the finger prints or photographs of any person in custody, charged with the commission of crime, or who they have reason to believe is a fugitive from justice or a habitual criminal; and it shall be the duty of the chiefs of bureaus of all cities within this Commonwealth to furnish daily, to the Pennsylvania State Police, copies of the finger prints, and, if possible, photographs, of all persons arrested within their jurisdiction charged with the commission of felony, or who they have reason to believe are fugitives from justice or habitual criminals, such finger prints to be taken on forms furnished or approved by the Pennsylvania State Police. It shall be the duty of the Pennsylvania State Police, immediately upon the receipt of such records, to compare them with those already in their files, and, if they find that any person arrested has a previous criminal record or is a fugitive from justice, forthwith to inform the arresting officer, or the officer having the prisoner in charge, of such fact.

Section 4. It shall be the duty of the Pennsylvania State Police to cooperate with agencies of other States and of the United States, having similar powers, to

develop and carry on a complete interstate, national, and international system of criminal identification and investigation, and also to furnish, upon request, any information in its possession concerning any person charged with crime to any court, district attorney, or police officer of this Commonwealth, or of another state or of the United States.

Section 5. (a) The district attorneys of the several counties are hereby authorized and empowered, from time to time, to employ the services of experts on finger prints to assist them in the investigation of pending cases and to testify upon the trial thereof. The compensation of any such expert shall be fixed by the district attorney employing him, with the approval of the court of quarter sessions; and shall be paid from the county treasury upon warrant of the county commissioners in the usual manner.

District attorneys may employ experts on finger prints.

Compensation of expert.

(b) The district attorney of any county, the warden or keeper of the county jail, or any expert employed by the district attorney, or any other person designated by the district attorney, shall have the power, upon the written order of the district attorney, to take the finger prints of any person confined in the county jail of such county for use in the identification of the prisoner or upon his trial.

Power to take finger prints of prisoner in county jail.

(c) The district attorneys of the several counties shall keep and arrange files of the finger prints, taken under the provisions of this act, of persons convicted of crime, and shall destroy the finger prints of all persons acquitted. The files of finger prints maintained by the district attorneys shall be open to the inspection of any other district attorney of this Commonwealth, or their representatives, or of the Pennsylvania State Police, or any sheriff or police or peace officer.

Disposition of files of finger prints.

Files to be open to officers.

(d) District attorneys shall not be authorized to take finger prints, under this section, of persons arrested for misdemeanors, unless the district attorneys have reason to believe that such persons are old offenders against the penal laws of this Commonwealth.

Persons arrested for misdemeanors.

Section 6. Neglect or refusal of any person mentioned in this act to make the report required herein, or to do or perform any other act on his part to be done or performed in connection with the operation of this act, shall constitute a misdemeanor, and such person shall, upon conviction thereof, be punished by a fine of not less than five nor more than twenty-five dollars, or by imprisonment in the county jail for a period of not exceeding thirty days, or by both, in the discretion of the court. Such neglect or refusal shall also constitute malfeasance in office and subject such person to removal from office. Any person who removes, destroys, or mutilates any of the records of the Pennsylvania State Police, or of any district at-

Violations.

Penalty.

Malfeasance in office.

Destruction of records.

Penalty. torney, shall be guilty of a misdemeanor, and such person shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for a period of not exceeding one year, or by both, in the discretion of the court.

Constitutionality. Section 7. Should any section or provision of this act be held to be unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of the act as a whole or any part thereof other than the portion so held to be invalid.

Repeal. Section 8. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 271

AN ACT

To amend sections four, twelve, twenty-three, and twenty-four of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred and sixty two), entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof."

State Workmen's
Insurance Fund.

Section 4 of act of
June 2, 1915 (P.
L. 762), amended.

Section 1. Be it enacted, &c., That section four of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred and sixty-two), entitled "An act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," be and the same is hereby amended to read as follows:

State Treasurer to
be custodian of
fund.

Section 4. The State Treasurer shall be the custodian of the fund; and all disbursements therefrom shall be paid by him *by cheque*, upon [vouchers authorized by the board and signed by any two members thereof, except as hereinafter provided in sections twenty-two and twenty-three] *requisition of the Secretary of Labor and Industry. It shall not be necessary for the State Treasurer to audit the accounts which the requisition of the Secretary of Labor and Industry calls upon him to pay, and for making payments according to the requisition of the Secretary of Labor and Industry without audit the State Treasurer shall not be under any liability whatsoever. [He] The State Treasurer may deposit any portion [thereof] of the fund not needed for immediate use*

Payments on requisition of Secretary of Labor and Industry.