

Failure to file required affidavit.

Section 5. Failure upon the part of plaintiff to file with the præcipe for writ of scire facias affidavit provided for in section one hereof shall be ground for quashing such writ, upon notice.

Affidavit embracing other allegations.

Section 6. The affidavit provided for in section one hereof if embracing allegations other than as provided for in said section shall, upon motion, be stricken from the record.

Judgment in default of affidavit of defense.

Section 7. After service of such writ and copy of affidavit, plaintiff may, after fifteen days after return day, take judgment in default of affidavit of defense against such defendants as have been served; provided that, if the contractor defendant has filed an affidavit of defense, plaintiff shall not be entitled to take judgment in default of affidavit of defense as against the owner defendant until the affidavit of defense filed by the contractor has been disposed of. Plaintiff shall not be entitled to enter judgment in default of appearance.

Judgment for want of sufficient affidavit of defense.

Section 8. Plaintiff may, after filing of affidavit of defense, move for judgment for want of sufficient affidavit of defense.

Judgment on the whole record.

Section 9. Defendant may, after ruling plaintiff to file replication, whether replication is filed or not, move for judgment on the whole record.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 150

AN ACT

To further amend clause (a) of section four of the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," as amended, by providing that the courts of quarter sessions may order that one additional voting machine be provided in certain election districts.

Elections.

Section 1. Be it enacted, &c.. That clause (a) of section four of the act, approved the eighteenth day of

April, one thousand nine hundred and twenty-nine (Pamphlet Laws, five hundred forty-nine), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," as amended by section three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws, one thousand one hundred eighty-five), is hereby further amended to read as follows:

Use of voting machines.

Clause (a), section 4, act of April 18, 1929 (P. L. 549), as amended by act of June 23, 1931 (P. L. 1185), further amended.

Section 4. Installation of Voting Machines.—(a) If a majority of the qualified electors voting on the question shall vote in the affirmative, the county commissioners of the said county shall purchase for each election district of such county, city, borough or township, one or more voting machines, of a kind or kinds approved by the Secretary of the Commonwealth, as hereinafter provided, and of sufficient capacity to accommodate the names of a reasonable number of candidates for all public and party offices which, under the provisions of existing laws and party rules, are likely to be voted for at any future election, and shall notify the Secretary of the Commonwealth, in writing, that they have done so. The county commissioners shall provide machines in good working order, and shall preserve and keep them in repair. Voting machines of different kinds may be used for different districts in the same county, city, borough or township. In each election district in which voting machines are used, the county commissioners may provide one voting machine for each five hundred registered voters, or fraction thereof, therein, and shall provide one voting machine for each six hundred registered voters, or fraction thereof, therein: *Provided, however, That the courts of quarter sessions, upon petition presented by either the county commissioners or by ten or more qualified electors of any such election district, may order that one additional voting machine be provided for any such election district, if the court shall be of the*

opinion that such additional voting machine shall be necessary in such district for the convenience of the voters and the public interests.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 151

AN ACT

To amend section three of the act, approved the fifth day of March, one thousand nine hundred and six (Pamphlet Laws, sixty-three), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended, by changing the hours when registrars are to sit.

Cities of
third class.

Personal
registration.

Section 3, act of
March 5, 1906
(P. L. 63), as
last amended
by act of April
23, 1927
(P. L. 375),
further
amended.

Registration
days.

For special
elections.

Hours of open
session.

Powers of
registrars.

Section 1. Be it enacted, &c., That section three of the act, approved the fifth day of March, one thousand nine hundred and six (Pamphlet Laws, sixty-three), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended by the act approved the twenty-third day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, three hundred seventy-five), is hereby further amended to read as follows:

Section 3. The registrars of each precinct or ward shall meet at the polling-places thereof, in even-numbered years, on the ninth Thursday, seventh Tuesday, and fifth Saturday preceding the November election, which shall be known as the Fall registration, and on the third Wednesday preceding the Spring primary, which shall be known as the Spring registration; and in odd-numbered years, on the tenth Thursday, ninth Tuesday, and eighth Saturday preceding the November election, which shall be known as the Fall registration,—and in any year when any special election for any purpose is held, on the third Wednesday preceding such special election, which shall be known as a special registration,—and shall remain in open session from [seven] *eight* o'clock ante meridian to [nine] *twelve* o'clock [ante meridian] *noon*, and from [eleven] *one* o'clock [ante] *post* meridian to [two] *six* o'clock post meridian. and from [four] *seven* o'clock post meridian to ten o'clock post meridian, of each registration day. They shall on said days receive personal applications from persons who claim that they are entitled to be registered as voters. They shall have power to administer oaths, shall examine said applicants under oath, and shall record on the registers the names