

prima facie evidence of all matters therein set forth and of the right of the city, borough, or township to recover the amount therein claimed to be due, together with interest from the date of the lien or completion of the improvement, costs, and an attorney's commission of five per centum for collecting.

Collection of claims.

Proviso.

Section 3. The claim, when so filed, shall be proceeded upon for collection by writ of scire facias: Provided, That this act shall not apply to any proceeding, suit, or lien wherein a final order or judgment of any court of record has already been made or entered.

When effective.

Section 4. This act shall become effective immediately upon final enactment.

APPROVED—The 18th day of April, A. D. 1935.

GEORGE H. EARLE

No. 19

AN ACT

To amend section forty-two of and to add section thirty-five A to the act, approved the eighteenth day of January, one thousand nine hundred and thirty-four (Pamphlet Laws, two hundred fifty, one thousand nine hundred thirty-three and one thousand nine hundred thirty-four), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties," adding certain provisions relating to the conduct of elections and primaries; and the challenge and proof of qualifications of electors; and changing certain penalties.

Cities of the second class.

Section 42, act of January 18, 1934 (P. L. 250, 1933-1934), amended.

Section 35A added to act of January 18, 1934 (P. L. 250, 1933-1934).

Section 1. Be it enacted, &c., That the act, approved the eighteenth day of January, one thousand nine hundred and thirty-four (Pamphlet Laws, two hundred fifty, one thousand nine hundred thirty-three and one thousand nine hundred thirty-four), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of

citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, and boards of school directors; and imposing penalties" is hereby amended by adding thereto section thirty-five A to read as follows:

Section 35A. Persons Registered Are Entitled to Vote at General or Municipal Elections if Identified by Signature, Proviso; Evidence of Registration Discrepancies; Persons Registered and Enrolled May Vote at Primaries if Identified by Signature, Proviso; Persons not Registered are not Entitled to Vote; Challenging of Persons; Registered Voter's Certificates; List of Voters; Elections and Primaries; Counting, Et Cetera, of Names Checked as Having Voted; Sealing of Registers and Lists of Voters; Return of Lists of Voters and Registers.—(a) Any person whose name is in the district register of any election district, and who, upon applying to vote, shall have signed his name to a voter's certificate, in the form hereinafter provided for, as a means of identification, and whose signature thereon shall have been compared by the election officers, in the presence and view of the watchers, with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers, shall be entitled to vote in such district at any general, municipal or special election, unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration, or that he has violated any law of this Commonwealth prohibiting betting or bribery at elections.

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered, or if, having been able to sign his name when registered, he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote, but each such elector shall establish his identity to the satisfaction of the election officers, and, in such case, a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer.

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate.

(d) Any person who is registered and also enrolled as a member of a political party, and who, upon applying to vote, shall have established his identity by signing his name, or otherwise, as herein required at elections, and is otherwise qualified, may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership. No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election, and any qualified elector registered although not enrolled as aforesaid, shall be permitted to vote a nonpartisan ballot according to any law providing for same at any primary election.

Voting qualifications.

(e) No one, except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by authority of this Commonwealth, shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote, except by order of the court of common pleas as herein provided regarding appealed cases. Any person, although personally registered, may be challenged by any qualified elector, watcher, overseer or election officer, at any election or primary, as to his identity, as to his continued residence in the election district, or as to any alleged violation of the laws of this Commonwealth prohibiting betting or bribery at elections; and if challenged as to identity or residence, he shall produce at least one qualified elector of the election district as a witness, who shall make affidavit of his identity or continued residence in the election district, and shall produce such other evidence as may be required to satisfy the election officers of his identity or continued residence in the election district.

Voter's certificate.

(f) The county commissioners shall cause to be printed for each election district a suitable number of voter's certificates, which shall be, in form, approved by the Secretary of the Commonwealth substantially as follows:

VOTER'S CERTIFICATE

(Primary) (Election)

19

I hereby certify that I am qualified to vote at this (primary) (election)

Signature

Address

..... Pennsylvania

Approved

Number of stub of ballot issued (or number of admission to voting machines) (and party at primary)

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder, to be furnished by the county commissioners. After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved, or, in the case of an elector who is unable to write, the notations hereinabove required have been made thereon, one of the election officers who made the comparison shall sign his name or initials thereon, and, if the elector's signature is not readily legible, shall print such elector's name over his signature. After the elector has been admitted to vote, the number of the stub of the ballot issued to him, or his number in the order of admission to the voting machines, and at primaries a letter or abbreviation designating the party in whose primary he votes, shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder. One such file or binder shall be furnished for each election district for each primary and election, and shall have printed or written thereon the words "List of Voters" and the name of the district and date of the primary or election. The voter's certificates, so bound, shall constitute the ballot check list of the district. All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the list of voters.

Procedure to be followed by election officials.

(g) The district registers, hereby provided for, shall be used at each election and primary by the election officers in the place of the register known as the voting check list, heretofore required by law. As each voter is found to be qualified and votes, the election officer in charge of the district register shall write or stamp the date of the election or primary and sign his name or initials in the proper space on the registration affidavit of such voter contained in the district register. After the polls are closed, the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting, shown by the list of voters, and announced, and the cause of any difference ascertained, if possible, before the ballot box or voting machine is opened. The list of voters and the district register shall be immediately sealed in envelopes, and shall be returned to the custody of the registration commission by the judge of election before noon on the day following the election or primary.

District registers.

Procedure after the closing of the polls.

Section 2. Section forty-two of said act is hereby amended to read as follows:

Section 42. Crimes and Penalties.—(a) Any person who wilfully disobeys a lawful order of the commission, or refuses to obey its subpoena duly issued and served

Crimes and penalties.

under the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars.

(b) Any wilful false statement made under oath, or in writing stating that it is so made although such oath may not have actually been made, by any person regarding any material matter or thing relating to any subject being investigated, heard, or acted upon by any registrar, commissioner, judge, watcher, inspector of registration, court, or commission by virtue of this act, shall be perjury, and any person, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars [or] *and* undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(c) Any registrar or commissioner who knowingly registers, or permits to be registered, a person not lawfully entitled to be registered, or who, without reasonable cause, refuses to register a person entitled to be registered, or knowingly assists in preventing such person from being registered, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than five (5) years.

(d) Any person who applies for registration knowing, or having reason to know, that he is not entitled to be registered, or who falsely personates another in an application for registration, or who knowingly offers false naturalization papers to establish his claim to be registered, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than three (3) years.

(e) Any registrar, commissioner, or assistant or employe of a commission, who inserts, or intentionally permits to be inserted, a name or other entries in any registration card without a proper application in person on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made, except upon an order of the court of common pleas or of the commission, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than five (5) years.

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector, or who knowingly accepts the vote of a person not registered in

accordance with the provisions of this act (except that of a person in actual military or naval service as aforesaid, or a person having an order of court as aforesaid), or who knowingly receives a vote from a person falsely claiming to be a registered voter, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than five (5) years.

(g) Any commissioner, registrar, inspector of registration, or other officer, assistant or employe, upon whom a duty is laid by this act, who shall wilfully neglect or refuse to perform such duty, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars and to undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(h) Any person who inserts, or intentionally permits to be inserted, any name or material entry in any registration card, street list, affidavit, petition, subpoena, certificate, report, or other record, authorized or required by this act to be made or prepared for any purpose herein mentioned, except in accordance herewith, or who materially alters or destroys an entry which has been duly made therein, except as herein provided, or who takes and removes any such book, paper, card, or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand (\$1,000) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than three (3) years.

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain, or to exhibit any records, papers, or documents herein authorized to be inspected by him, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than two (2) years.

(j) Any constable, policeman, sheriff, or other peace or police officer, or deputy or subordinate thereof, who shall fail, upon demand of any commissioner or inspector of registration, to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided, or who shall wilfully hinder or delay, or attempt to hinder or delay, any commissioner or inspector of

registration in the performance of any duty, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars [or] *and* to undergo an imprisonment of not less than three (3) months nor more than [to] *two* (2) years.

(k) Any person who intentionally interferes with, hinders, or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred (\$500) dollars.

APPROVED—The 18th day of April, A. D. 1935.

GEORGE H. EARLE

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No. 20

AN ACT

To amend sections one, two, three, four, and five of the act, approved the second day of March, one thousand nine hundred and thirty-three (Pamphlet Laws, six), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising, breeding, fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment, and crops; and designating the operation and effect of the lien of such mortgages," extending the provisions of said act generally to persons, associations, partnerships and corporations, providing for bonds with confessions of judgments, changing fees, and agencies from whom borrowings may be made, regulating the assignment and release of such mortgages, and generally revising and supplementing the provisions thereof.

Farmers may
borrow funds
from certain
Federal agencies,
etc.

Sections 1, 2, 3,
4 and 5, act of
March 2, 1933
(P. L. 6),
amended.

Section 1. Be it enacted, &c., That sections one, two, three, four, and five of the act, approved the second day of March, one thousand nine hundred and thirty-three (Pamphlet Laws, six), entitled "An act to enable persons, associations, partnerships and corporations engaged in farming, and raising, breeding, fattening and marketing livestock, to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock, farm machinery, farm equipment and crops; and designating the operation and effect of the lien of such mortgages," are hereby amended to read as follows:

Section 1. Be it enacted, &c., That [any person, association, partnership or corporation engaged in this Commonwealth in the business of farming, or the raising, breeding, fattening or marketing of livestock, may enter into an agreement with and borrow funds from the Reconstruction Finance Corporation, Regional Agricultural Credit Corporations, the Secretary of Agri-