

so engaged in or carried on, shall display a sign indicating that the work is done by students exclusively.

(c) To own, manage, control or operate any barber shop, unless the same displays a recognized sign indicating that it is a barber shop, which shall be clearly visible at the main entrance to said shop.

(d) For the owner of any barber shop to display a permit or certificate of registration of any barber not employed in such shop.

The department and advisory committee shall have power to make such other rules and regulations and prescribe such other sanitary requirements as shall be deemed necessary to carry out the provisions of this act.

Other
violations.

Penalty.

Any person who shall violate any of the [other] provisions of this act, except as herein otherwise provided, shall, [be guilty of a misdemeanor, and] upon summary conviction thereof, [shall] be sentenced to pay a fine [not exceeding one hundred dollars] of not less than ten dollars nor more than ninety dollars, or to undergo an imprisonment [not exceeding ninety] of not less than ten days nor more than sixty days, or both, at the discretion of the court. Any such person shall have the right of appeal as in other cases of summary conviction.

Constitutional
provision.

Section 8. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

APPROVED—The 5th day of June, A. D. 1937.

GEORGE H. EARLE

No. 355

AN ACT

To amend section five, and sections sixteen, seventeen, and twenty-one as amended, of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, seven hundred and ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by providing for promoters, partnerships, and copromoters a bond to protect contestants, managers, and officials; changing license fees for promoters, boxers, seconds, managers, and wrestlers; fixing minimum purse; and requiring payments to the Commonwealth for complimentary tickets.

Section 5, act
of June 14,
1923 (P. L.
710), amended.

Section 1. Be it enacted, &c., That section five of the act, approved the fourteenth day of June, one thousand

nine hundred and twenty-three (Pamphlet Laws, seven hundred and ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," is hereby amended to read as follows:

Section 5. License to Persons, *Promoters, Partnerships*, and Corporations.—The commission may, in its discretion, issue a license to conduct, hold, or give boxing, sparring, or wrestling matches or exhibitions, subject to the provisions of this act, to any *promoter, partnership* or corporation duly incorporated under the laws of this Commonwealth or to any person or persons, but not otherwise. *When a promoter desires to associate with a promoter from outside this Commonwealth, such copromoter will be required to have a license in the same bracket as that required for the local promoter.* Such *promoter, partnership*, corporation, person or persons must hold a lease of a term of at least three months for the premises in which such match or exhibition is to be held. No license shall be issued to conduct, hold, or give boxing, sparring, or wrestling matches or exhibitions in any city, borough, town, or township, which has adopted, or shall hereafter adopt, any ordinance prohibiting such matches or exhibitions within its limits.

Section 2. That sections sixteen and twenty-one of said act, as last amended by the act, approved on the twenty-ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, eight hundred and sixty), are hereby further amended to read as follows:

Section 16. Bond.—Before a license shall be granted to a *promoter, partnership*, corporation or person, such *promoter, partnership*, corporation or person shall execute and file with the commission a bond in such sum as shall be determined by the commission but not less than three thousand dollars. All such bonds shall be approved as to form and sufficiency or sureties thereon by [said] *the commission and the Department of Justice*, and shall be conditioned for the faithful performance by said *promoter, partnership*, corporation or person of the provisions of this act and the rules and regulations of the commission. No such license shall be issued until such bond is approved and filed. In case of default in the performance of any of the conditions prescribed by this act or by the rules and regulations of the commission, the commission shall impose upon the delinquent *promoter, partnership*, corporation or person a penalty in the sum of not more than the amount of the bond, for each offense which shall be recovered by the Attorney General in the name of the Commonwealth in the

Sections 16 and 21, as amended by act of April 29, 1929 (P. L. 860), further amended.

same manner as other penalties are recovered by law. Any amount so recovered shall be paid to the State Treasurer for the use of the Commonwealth. *Funds due contestants, managers or officials shall be recovered on the bond paid into the General Fund, and such contestants, managers or officials shall be reimbursed by vouchers presented in the usual way against the funds appropriated to the State Athletic Commission.*

The failure on the part of any promoter upon postponement, cancellation or default of any scheduled match to reimburse holders of tickets, who have paid full purchase price thereof, within ten days from the date of the original scheduled match, shall be sufficient cause to warrant a forfeiture of the bond and imposition of penalty by the State Athletic Commission, as hereinbefore provided. From such fund realized on any such bond, ticket purchase price refunds may be made on the order of the State Athletic Commission to persons who are purchasers at full face value of tickets issued by the promoter whose bond has thus been forfeited. No person who has purchased tickets at less than full face value or persons receiving complimentary tickets, shall receive any ticket purchase refund.

Section 21. Payments to State. — Every promoter, partnership, corporation or person holding any boxing, sparring, or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the Commonwealth five per centum of the total gross receipts exclusive of any Federal taxes paid thereon. Such payment shall be made within seventy-two hours after the holding of the contest, and shall include payment on the face value of all tickets used, including complimentary tickets and tickets. All moneys received from such taxes shall be paid to the State Treasurer through the Department of Revenue.

Section 3. That section seventeen of said act, as last amended by the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand and eighty-four), is hereby further amended to read as follows:

Section 17. License Fees; Amateur Exhibitions and Matches; *Minimum Purse*.—Each applicant for a license shall, before a license is issued by the commission, and annually thereafter during the life of such license, pay to the commission a license fee as follows: *Promoters, partnerships, corporations or persons in cities of the first class, [two hundred and fifty dollars] where the building or structure has a seating capacity of two thousand or less, one hundred dollars; where the seating capacity is from two thousand and one to five thousand, one hundred and fifty dollars; where the seating capacity is five*

Section 17, as amended by act of May 26, 1933 (P. L. 1084), further amended.

thousand and one or more, two hundred and fifty dollars; in cities of the second class, one hundred dollars; in cities of the third class and elsewhere, twenty-five dollars; physicians, twenty-five dollars; referees, twenty-five dollars; judges, fifteen dollars; timekeepers, ten dollars; professional boxers, [ten] five dollars; professional wrestlers, [fifteen] ten dollars; managers, [forty] twenty-five dollars; seconds, ten dollars; announcers, fifteen dollars; and matchmakers, twenty-five dollars; but the commission may issue, without fee, licenses to referees or physicians, authorizing such referees or physicians to officiate only at boxing, sparring, or wrestling matches or exhibitions between amateurs, and only without receiving any compensation for their services. Permits for matches or exhibitions in which only amateurs participate shall be issued without fee, and may be issued for a single match or exhibition, or a series of matches or exhibitions, or for a period not exceeding one year.

Permits for amateur boxing exhibitions or wrestling matches shall not be issued to any person or persons when such exhibitions or matches are conducted for individual profit.

Permits for amateur boxing exhibitions or wrestling matches shall be issued only to bona fide amateur athletic associations, as approved by the commission.

A minimum purse of twelve dollars and fifty cents (\$12.50) shall be paid by the promoter to each professional boxer for each bout in which such boxer is engaged.

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

APPROVED—The 5th day of June, A. D. 1937.

GEORGE H. EARLE

No. 356

AN ACT

To amend section twenty-seven of the act, approved the twentieth day of July, one thousand nine hundred seventeen (Pamphlet Laws, one thousand one hundred forty-three), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing