

any streets or parts thereof, and the entire costs, or any part thereof, shall be assessed against the properties abutting on such improvement, whether by the foot-front rule or according to benefits, the council may provide in the ordinance that the assessment may be paid in *monthly*, semi-annual or annual instalments. Such instalments shall bear interest, at a rate not exceeding six per centum, commencing at such time as may be fixed by ordinance.

Section 1779. Assessments; Where Payable.—Such assessments shall be payable at the office of the borough treasurer, or such other place as the ordinance shall provide, in *monthly*, semi-annual or annual instalments, with interest at the rate provided from the date from which interest is computed on the amount of the assessments. The moneys so received by the borough shall be applied to the payment of such bonds and interest thereon exclusively.

APPROVED—The 7th day of September, A. D. 1955.

GEORGE M. LEADER

No. 143

AN ACT

Amending the act of May eleven, one thousand nine hundred twenty-one (Pamphlet Laws 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," further regulating the keeping of vicious dogs, prescribing penalties and requiring bonds.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section twenty-two, act of May eleven, one thousand nine hundred twenty-one (Pamphlet Laws 522), known as the "Dog Law of 1921," amended May six, one thousand nine hundred twenty-seven (Pamphlet Laws 833), is amended to read:

Section 22. Any person may kill any dog which he sees in the act of pursuing, worrying, or wounding any

"Dog Law of 1921".

Section 22, act of May 11, 1921, P. L. 522, amended May 6, 1927, P. L. 833, further amended

live stock, or wounding or killing poultry, or attacking human beings, whether or not such dog bears the license tag required by the provisions of this act. There shall be no liability on such persons in damages or otherwise for such killing.

Any unlicensed dog that enters any field, or any dog that enters any field or inclosure where live stock or poultry are confined, shall constitute a private nuisance and the owner or tenant of such field, or their agent or servant, may kill such dog, while it is in the field or inclosure, without liability or responsibility of any nature for such killing.

Licensed dogs, when accompanied by their owner or handler, shall not be included under the provisions of this section, unless caught in the act of worrying, wounding, or killing any live stock, or wounding or killing poultry, or attacking human beings.

Any person who has been attacked by a dog, or any one for such person may make a complaint before a magistrate, alderman, or justice of the peace, charging the owner or keeper of such dog with harboring a vicious dog. A copy of such complaint shall be served upon the person so charged, in the same manner and subject to the same laws regulating the service of summons in civil suits, directing him to appear for a hearing of such complaint at a time fixed therein. If such person shall fail to appear at the time fixed, or if, upon a hearing of the parties and their witnesses, the magistrate, alderman, or justice of the peace shall find the person so charged is the owner or keeper of the dog in question, and that the dog has, viciously and without cause, attacked a human being when off the premises of the owner or keeper, such official shall order the said owner or keeper to henceforth keep such dog securely confined.

For his services in such proceedings, the magistrate, alderman, or justice of the peace and the constable shall be entitled to the same fees they are entitled to for performing similar services in criminal cases. In all proceedings under this section, such official shall place the costs upon either party as he may determine.

It is unlawful for the owner or keeper of any vicious dog, after receiving such order, to permit such dog to run at large, or to appear on the public highways unless in leash. Any such dog found running at large, may be killed by any constable or police officer without liability for damages for such killing.

Any owner or keeper who does not keep a vicious dog confined when so ordered, shall, upon summary conviction, be sentenced to pay a fine of not less than one hundred dollars (\$100) and not more than three hun-

dred dollars (\$300). The magistrate, alderman, or justice of the peace, shall also require the owner or keeper of the vicious dog to post bond with sufficient surety in the amount of five hundred dollars (\$500) to insure payment of damages or injuries caused by the vicious dog.

APPROVED—The 7th day of September, A. D. 1955.

GEORGE M. LEADER

No. 144

AN ACT

To further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing additional time for making an election.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The first paragraph of section fourteen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as last amended by the act, approved the twentieth day of May, one thousand nine hundred forty-nine (Pamphlet Laws 1532), is hereby further amended to read as follows:

Options.

Section 14. At the time of his or her superannuation retirement, *or within sixty (60) days thereafter*, any contributor may elect to receive his or her benefits in a retirement allowance, payable throughout life *dated*

State employes' retirement association.

First paragraph of section 14, act of June 27, 1923, P. L. 858, last amended May 20, 1949, P. L. 1532, further amended.