

and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commission, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," authorizing the payment of bonus dividends to any class or classes of stock.

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

Building and Loan Code.

Section 1. Section 618, act of May 5, 1933 (P. L. 457), known as the "Building and Loan Code," is amended by adding, at the end thereof, a new subsection to read:

Section 618, act of May 5, 1933, P. L. 457, amended by adding a new subsection F.

Section 618. Dividends on Shares; Undivided Profits.—

\* \* \* \* \*

*F. Notwithstanding any other provision of this act and without regard to the limitations on the rate of dividend on any kind or class of stock set forth in any subsection of this section, the by-laws of the association may provide for the payment of bonus dividends to any class or classes of stock pursuant to a plan which has been adopted by the board of directors and approved in writing by the Department of Banking.*

APPROVED—The 22nd day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 670

AN ACT

Amending the act of June 1, 1956 (P. L. 1997), entitled "An act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties," defining the word "obscene."

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

Sale of certain publications declared unlawful.

Section 1. Sections 1 and 2, act of June 1, 1956 (P. L. 1997), entitled "An act relating to comic books, magazines and other publications; prohibiting and regulating the sale thereof in certain instances; and imposing penalties," amended July 17, 1957 (P. L. 971), are amended to read:

Sections 1 and 2, act of June 1, 1956, P. L. 1997, amended July 17, 1957, P. L. 971, further amended.

Section 1. It shall be unlawful for any person *knowingly* to sell, offer for sale, attempt to sell, exhibit, give away, keep in his possession with intent to sell, or give

away, or in any way furnish, or attempt to furnish, to anyone under the age of eighteen years, any comic book, magazine, book, picture, periodical or other publication which is obscene, [lewd, lascivious, filthy, indecent or disgusting,] or which teaches or advocates the use of narcotics.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one year, or both.

Section 2. It shall be unlawful for any person *knowingly* to require any distributor or retail seller as a condition to a sale or delivery for resale or consignment of any comic book, magazine, book, picture, \*periodical or other publication, or any commodity or goods whatsoever, to purchase or take by consignment for purposes of sale, resale, or distribution any comic book, magazine, book, picture, periodical or other publication, which is obscene [, lewd, lascivious, filthy, indecent or disgusting].

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one year, or both.

Section 2.1 of the act, added July 17, 1957, P. L. 971, amended.

Section 2. Section 2.1 of the act, added July 17, 1957 (P. L. 971), is amended to read:

Section 2.1. The district attorney of any county in which any person sells, distributes, consigns, or is about to sell, distribute, or consign, or has in his possession with intent to sell, resell, distribute or consign, any comic book, magazine, book, picture, periodical or other publication, which is obscene [, lewd, lascivious, filthy, indecent or disgusting], may institute proceedings in equity in the court of common pleas of said county for the purpose of enjoining the sale, resale, distribution or consignment of such comic book, magazine, book, picture, periodical or other publication, contrary to the provisions of this act, and for such purposes jurisdiction is hereby conferred upon said courts. A preliminary injunction may issue and a hearing thereafter be held thereon in conformity with the rules of civil procedure upon the averment of the district attorney that the sale, resale, distribution or consignment of such publication constitutes a danger to the welfare or peace of the community. The district attorney shall not be required to give bond.

\* "perodical" in original.

Section 3. Section 3 of the act is amended to read :

Section 3 of the act, amended.

Section 3. [The] (a) *Except for the purposes of subsection (b) of this section as used in this act, the word "person" includes an individual, copartnership, association and corporation.*

(b) *As used in this act, the word "obscene" means that which to the average person applying contemporary community standards has as its dominant theme taken as a whole an appeal to prurient interest.*

Section 4. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 22nd day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 671

AN ACT

Amending the act of December 15, 1959 (P. L. 1779), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," integrating existing law giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles into the act; providing penalties for violation of provisions relating to frogs, tadpoles and turtles; and repealing certain acts.

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

The Fish Law of 1959.

Section 1. The title of the act of December 15, 1959 (P. L. 1779), known as "The Fish Law of 1959," is amended to read :

Title, act of December 15, 1959, P. L. 1779, amended.

AN ACT

Relating to fish, *frogs, tadpoles and turtles*; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

New title.

Section 2. Sections 270, 274, 276 and subsection (a) of section 279 of the act are amended to read :

Sections 270, 274, 276 and subsection (a), section 279 of the act, amended.

Section 270. Powers of Officers to Destroy Unlawful Devices and Make Arrests.—Any fish warden, special warden, sheriff, constable or any special officer, or any peace officer in this Commonwealth, is hereby authorized and required to proceed, with such force of the county as may be necessary to confiscate and turn over to the Commission any device for catching fish, *frogs, tadpoles or turtles*, used contrary to or prohibited by law in any