

maintained and improved at the expense of the respective township or borough in which located.

APPROVED—The 14th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 155.

AN ACT

Relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties.

Department of  
Welfare.

Boarding houses  
for infants.

Definition.

Section 1. Be it enacted, &c., That the term "boarding house for infants," as used in this act, shall mean any place, other than institutions duly incorporated for the purpose, maintained, operated, and conducted for hire, gain, or reward, for the reception of more than one infant child under three years of age unaccompanied by parent or guardian, for the purpose of providing such children with care, food, and lodging for a continuous period longer than twenty-four hours unless such children are related to the person or persons maintaining and conducting such place by blood or marriage within the second degree; but the term "boarding house for infants" shall not be construed to include such places as are commonly known as day nurseries, where children are not lodged over night.

License.

Section 2. Maintenance of, Without License, Prohibited. No person or persons shall maintain, operate, or conduct any boarding house for infants, without having a license therefor issued by the Department of Welfare of the Commonwealth.

Application.

Section 3. Application for License. Any person or persons desiring to secure a license for maintaining, operating, and conducting a boarding house for infants shall make application therefor to the said Department of Welfare upon blanks to be furnished by the said Department.

Approval of local  
health authorities  
in cities of first,  
second or third  
class.

Section 4. Approval of Local Health Authorities. All applications for licenses to maintain, operate, and conduct boarding houses for infants within cities of the first, second, or third class shall, before being submitted to the said Department of Welfare, first be approved by the health authorities of such city; and for licenses for maintaining, operating, and conducting such boarding houses for infants in boroughs, towns, and townships, the application shall first be approved by such person or persons, or public or private agency as may be designated by the said Department of Welfare.

**Section 5. Issuance of License.** The Department of Welfare shall, when satisfied that the applicant or applicants for such license are proper persons and that the place sought to be used as a boarding house for infants is a fit and suitable place for such purpose, and when all the requirements of this act and the rules and regulations of the department have been complied with, issue such license and keep a record thereof and of the application therefor.

Issuance of license.

**Section 6. Term and Contents of License.** All licenses granted by the Department shall be for a period of not more than one year. The license shall state the name of the licensee or licensees, the particular premises where such boarding house may be maintained, operated, and conducted, and the number of infants which may be boarded therein at one time.

Term and contents of license.

**Section 7. Number of Infants to be Kept.** Posting License. No greater number of infants than is authorized by the license therefor shall be kept at any one time in any boarding house for infants, and when required by the Department of Welfare, said license shall be posted in a conspicuous place on the premises wherein such boarding house for infants is to be maintained.

Number of infants to be kept.

Posting license.

**Section 8. Department of Welfare to Adopt Rules and Regulations.** The Department of Welfare may, with the approval of the State Welfare Commission, make and adopt rules and regulations not inconsistent with this act, for the issuance and renewal of such licenses and the proper maintenance, operation, and conduct of such boarding houses for infants and for the effective enforcement thereof.

Rules and regulations.

**Section 9. Revocation of Licenses.** The Department of Welfare may revoke such license and shall note such revocation upon the face of the record thereof, and shall give written notice of such revocation to the licensee or licensees by delivering the said notice to him or them in person or by leaving it on the licensed premises.

License may be revoked.

**Section 10. Right to Enter and Inspect the Premises.** The Department of Welfare and the health authorities in cities of the first, second, and third class, and the agents designated by the Department of Welfare to receive and approve licenses in boroughs, towns, and townships, shall have the right at any time to enter, visit, and inspect the premises of boarding houses for infants within their respective jurisdictions.

Right.

**Section 11. Records to be Kept by Licensee.** Every person licensed to maintain, operate, and conduct a boarding house for infants shall keep a record, in a form prescribed by the Department of Welfare, of every infant received, the date of its reception, the name and address of the person from whom received,

Records to be kept by licensee.

the date of its discharge, and the name and address of the person to whom delivered or discharged.

Registration of infants.

Section 12. Registration of Infants. The Department of Welfare shall prescribe for the registration and record of infants cared for in boarding houses for infants, and shall furnish to the licensees of such boarding houses for infants the forms upon which such registration and record shall be made, together with such instructions as may be required to secure the complete registration of all infants received by said boarding houses for infants or released therefrom.

Penalty for violation.

Section 13. Penalty. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars, or to undergo imprisonment not exceeding one year, or both, in the discretion of the court.

Burden of proof.

Section 14. Burden of Proof. In any prosecution arising out of the violation of this act or the rules and regulations of the Department of Welfare pertaining to the maintenance, operation, and conduct of boarding houses for infants, where a defendant relies in defense upon the relationship of any infant to himself, he shall have the burden of proof thereof.

Acts repealed.

Section 15. Acts Repealed. The following acts are hereby repealed absolutely:

Act of May 28, 1885 (P. L. 27).

An act, approved the twenty-eighth day of May, one thousand eight hundred and eighty-five (Pamphlet Laws, twenty-seven), entitled "An act supplementary to an act, entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,' approved the eleventh day of June, one thousand eight hundred and seventy-nine, providing for the further protection of minors, and regulating the boarding and maintaining of infant children for hire."

Act of April 27, 1909 (P. L. 211).

An act, approved the twenty-seventh day of April, one thousand nine hundred and nine (Pamphlet Laws, two hundred eleven), entitled "An act regulating the licensing of persons engaged in the business of receiving, boarding, or keeping infant children, under the age of three years, for hire or reward, in cities of the first class; providing that such licenses shall be granted annually by the Director of the Department of Public Health and Charities in such cities; authorizing the making of rules and regulations for the issuing and registering of such licenses for the conduct of such business, and for the inspection of the premises in which said business is conducted; making the violation of the act and of the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor."

An act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, eight hundred fifty-four), entitled "An act providing for and regulating the licensing of persons engaged in the business of receiving, boarding, or keeping of infant children, under the age of three years, for hire, reward, or otherwise, in cities of the third class; and authorizing the passing of general ordinances providing for and regulating the issuing of said licenses and imposing penalties."

Act of June 9,  
1911 (P. L. 854).

All other acts and parts of acts inconsistent herewith are hereby repealed.

Other acts inconsistent herewith.

APPROVED—The 14th day of April, A. D. 1925.

GIFFORD PINCHOT.

No. 156.

### AN ACT

To amend sections one, five, six, seven, eight, nine, and ten of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred and two), entitled "An act relating to mattresses, pillows, bolsters, feather beds, comfortables, cushions, and upholstered furniture; regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering, and consigning thereof, and the possession thereof with intent to sell, lease, deliver, or consign."

Section 1. Be it enacted, &c., That section one of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred and two), entitled "An act relating to mattresses, pillows, bolsters, feather beds, comfortables, cushions, and upholstered furniture; regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering, and consigning thereof, and the possession thereof with intent to sell, lease, deliver, or consign," is hereby amended to read as follows:

Department of  
Labor and Indus-  
try.

Act of June 14,  
1923 (P. L. 802)  
amended.

Section 1  
amended.

Section 1. Be it enacted, &c., That the word "mattress" shall mean any quilted pad, mattress, mattress pad, mattress protector, bunk quilt, or box spring, stuffed or filled with excelsior, straw, hay, grass, corn husks, moss, fibre, cotton, wool, hair, jute, kapok, or other soft material, to be used on a couch or other bed for sleeping or reclining purposes.

Definitions.

Mattress.

The words "pillow," "bolster," or "feather bed" shall mean any bag, case, or covering made of cotton or other textile material, and stuffed or filled with excelsior, straw, hay, grass, corn husks, moss, fibre, cotton, wool, hair, jute, feathers, feather down, kapok, or other soft material to be used on a bed, couch, divan, sofa, lounge, or other article of upholstered furniture for sleeping or reclining purposes.

Pillow, bolster  
or feather bed.