

lating municipal elections, and the returns shall be computed by the court as now provided by law for municipal elections.

APPROVED—The 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 60

AN ACT

To repeal an act, approved the twenty-eighth day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred seventy-eight), entitled "An act providing for the printing of copies of the general laws."

Printing of
general laws.

Act of June 28,
1879 (P. L.
178), repealed.

Section 1. Be it enacted, &c., That an act, approved the twenty-eight day of June, one thousand eight hundred and seventy-nine (Pamphlet Laws, one hundred and seventy-eight), entitled "An act providing for the printing of copies of the general laws," is hereby repealed.

APPROVED—The 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 61

AN ACT

Empowering counties of the second class to acquire, by condemnation, or by purchase, lease, gift, devise, or otherwise, private property for the purpose of establishing, making, enlarging, extending, operating, and maintaining, public parks; authorizing county commissioners to govern, manage, operate, lay out, improve, and maintain, the same, and to make rules and regulations for the government of said parks; providing punishments, penalties, and liabilities, for the violation of said rules and regulations; authorizing the issue of bonds and the levy of taxes for such purposes; and repealing an act, entitled "An act authorizing counties having a population of not less than eight hundred thousand, and not more than one million four hundred thousand, to purchase land, when adjacent or contiguous to county roads, for park purposes or for public comfort stations; providing for the improvement and maintenance thereof; authorizing the adoption of rules relating to the management and control of such property; providing penalties for the breach thereof; and limiting the amount to be expended for the purposes aforesaid," approved the twentieth day of May, Anno Domini one thousand nine hundred thirteen, and all other acts or parts of acts inconsistent herewith.

Counties of the
second class.

Power to take
private property
for public parks.

Section 1. Be it enacted, &c., That it shall be lawful for, and the right and power are hereby conferred upon, the counties of the second class of this Commonwealth, to enter upon, take, use, and appropriate, by the right of eminent domain, and to acquire by purchase, lease, gift, devise, or otherwise, private property, for the purpose of establishing, mak-

ing, enlarging, extending, operating, and maintaining, public parks, within the limits of such counties, whenever the county commissioners thereof shall, by resolution, determine thereon.

Section 2. In all cases wherein counties of the second class of this Commonwealth shall enter upon, take, use, and appropriate private property, for the aforesaid purposes, by resolution of the county commissioners, if the compensation and damages arising therefrom cannot be agreed upon by the owners thereof in such counties, such compensation and damages shall be considered, ascertained, determined, awarded, and paid, in the manner provided in an act, approved the first day of June, one thousand eight hundred eighty-three (Pamphlet Laws, fifty-eight), entitled "An act empowering and directing the county commissioners of any county to purchase ground at the county seat for the erection thereon of such building or buildings as may be necessary for the accommodation of the courts, and of the several officers of the county, and for the reception and safe-keeping of the records and other papers in charge of such officers; and also such other building or buildings as may be necessary and proper for the purposes of a county jail or workhouse, when occasion shall require the erection of such building or buildings, and in case the said ground cannot be obtained by agreement with the owner or owners at a reasonable price in the estimation of said commissioners, then to resort to condemnation," as amended.

Compensation and damages for property taken.

Section 3. In every case of the taking of property by eminent domain hereunder, the county shall acquire the entire title, whether in fee or otherwise, held by the owner or owners of said property, or of any interest therein.

Title acquired by eminent domain.

Section 4. The said county commissioners shall have the power to govern, manage, operate, lay out, plant, and ornament, the said public parks, and to maintain the same in good order and repair, and to construct all proper bridges, buildings, roadways, lakes, golf courses, playgrounds, and other improvements, therein, and to make rules and regulations for the conduct of the patrons thereof, and to repress all disorders therein, under the provisions hereinafter contained.

Power of county commissioners to govern.

Section 5. The said county commissioners shall have exclusive power to lease all houses, cottages, and buildings, within the park limits, which may be let without prejudice to the interest and purposes of the park, and to collect the rents.

Power to lease buildings and collect rents.

Section 6. All rents, license charges and fees, all fines, proceeds of sales, except of lands purchased, and profits of whatsoever kind, to be collected, received, or however realized, shall be paid into the

Use of receipts for park purposes.

- county treasury as a fund, to be exclusively appropriated by the county commissioners for park purposes: Provided, That moneys or property given or bequeathed to the county commissioners upon specified trusts shall be received and receipted for by the county treasurer and held and applied according to the trusts specified.
- Proviso.**
- Violation of rules and regulations.** Section 7. Any person, who shall violate any of said rules and regulations, which shall be ordained by the said county commissioners for the government of said public parks, not inconsistent with this act, or the laws and Constitutions of this State and the United States, the power to ordain which rules and regulations is hereby expressly given to said commissioners, shall be guilty of a misdemeanor and, upon conviction thereof, shall pay such fine as may be prescribed by said county commissioners, to be recovered before any alderman or justice of the peace of said county, which fines shall be paid into the county treasury.
- Violator also liable for damages.** Section 8. Any person, violating any of said rules and regulations, shall be further liable, to the full extent of any damage by him or her committed, in trespass or other action; and any tenant or licensed party, who shall violate the said rules and regulations, or any of them, or consent to or permit the same to be violated on his or her or their premises, shall forfeit his or her or their lease or license, and shall be liable to be forthwith removed, by a vote of the county commissioners, and every lease and license shall contain a clause making it cause of forfeiture for the lessee or party licensed to violate or permit or suffer any violation of said rules and regulations or any of them.
- Liability of tenant or licensee.**
- Lease or license to include forfeiture clause.**
- Employees of county commissioners.** Section 9. For the purpose of performing all necessary duties, relating to the establishing, making, enlarging, extending, and maintaining, public parks, and for enforcing the rules and regulations ordained by the county commissioners for the conduct of the patrons thereof, the said county commissioners are hereby authorized to employ or appoint and equip proper persons to do all necessary and proper work connected therewith, including police duty, the compensation of all persons so employed to be fixed by the salary board of said county.
- Compensation.**
- Duties of park police.** Section 10. It shall be the duty of the police, appointed to duty in said public parks, without warrant, forthwith to arrest any offender against the rules and regulations ordained by the said county commissioners, that they may detect in the commission of such offense, and to take the person so arrested forthwith before a magistrate, alderman, or justice of the peace, having competent jurisdiction.

Section 11. The county commissioners of said counties may issue bonds, and may annually appropriate, and cause to be raised by taxation, such taxes, not to exceed one mill on the dollar of the assessed valuation of taxable property in such county, for the purpose of establishing, making, enlarging, extending, and maintaining, such public parks.

County commissioners may issue bonds and levy taxes.

Section 12. An act, entitled "An act, authorizing counties having a population of not less than eight hundred thousand, and not more than one million four hundred thousand, to purchase land, when adjacent or contiguous to county roads, for park purposes or for public comfort stations; providing for the improvement and maintenance thereof; authorizing the adoption of rules relating to the management and control of such property; providing penalties for the breach thereof; and limiting the amount to be expended for the purposes aforesaid," approved the twentieth day of May, Anno Domini one thousand nine hundred thirteen, and all other acts or parts of acts inconsistent herewith, are hereby repealed.

Act of May 20, 1913 (P. L. 200), repealed.

APPROVED—The 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 62

AN ACT

To amend section six hundred and twenty-seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Section 1. Be it enacted, &c., That section six hundred and twenty-seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," which was amended by section one of the act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred fifty-eight),

Public schools.

Section 627 of act of May 18, 1911 (P. L. 309), as amended by act of May 20, 1921 (P. L. 958), further amended.