

No. 304

AN ACT

Exempting shoe repairing machinery and tools and the appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent.

Section 1. Be it enacted, &c., That hereafter all patented shoe repairing machinery and tools and the appurtenances thereto, upon which the patent has not expired, loaned to, or leased or hired by, any person or persons residing within this Commonwealth or any corporation or corporations doing business therein, or conditionally sold to any such person, persons, corporation or corporations under a contract of sale reserving title in the vendor until paid for, shall be exempt from levy and sale on execution or distress for rent so long as the title thereto remains in the owner, lessor or conditional vendor: Provided, That such owner, lessor or conditional vendor of such shoe repairing machinery and tools and the appurtenances thereto, or the person or persons leasing or hiring the same or to whom they have been delivered under a contract of conditional sale, shall give notice to the landlord, or his agent, within ten days after such machinery and tools and the appurtenances thereto are placed upon the demised premises, that the same are loaned, leased, hired or sold under reservation of title.

Shoe repairing machinery and tools leased or conditionally sold.

Exemption from levy and sale on execution or distress for rent.

Notice to landlord.

Section 2. This act shall become effective immediately upon final enactment.

When effective.

APPROVED—The 2nd day of June, A. D. 1933.

GIFFORD PINCHOT

No. 305

AN ACT

To amend section fifty, and section two hundred and twenty as amended, of the act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), 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," by permitting and regulating the use of eel chutes.

Whereas, The eel (Anguilla rostrata) is a catadromous fish, going down stream in the fall of the year to spawn in the depths of the ocean; and

Preamble.

Whereas, It does not feed nor bite at bait while on its downward migration and therefore cannot be caught by any device now legal in Pennsylvania; and

Whereas, After having left our streams the same eels never return to them, thus resulting in a permanent economic loss to our citizens; and

Whereas, The eels which go, with legal protection, down our streams and are caught by fishermen in other states and regions below Pennsylvania are shipped back to us at high prices; and

Whereas, To permit our own fishermen to catch them while on their downward migrations would provide food and occupation for many of our citizens; therefore

Fish.

Eel chutes.

Section 50, act
of May 2, 1925
(P. L. 448),
amended.

Section 1. Be it enacted, &c., That section fifty of the act, approved the second day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred forty-eight), 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," is hereby amended to read as follows:

Section 50. Devices to Catch Game-Fish and Bait-Fish.—No person shall use any device, means, or method whatsoever, except as in this article otherwise provided, for taking fish from the waters within this Commonwealth, except the following; that is to say, for:

(a) Game-fish, two rods and two lines and one hand line, with not more than three hooks attached to either line.

(b) Bait-fish, two rods and two lines, with not more than three hooks attached to each line; a dip-net, or minnow seine not over four feet square or four feet in diameter; a minnow trap, with not more than one opening, which shall not exceed one inch in diameter. The rods, hooks, and lines must be under the immediate control of the person using the same.

(c) *Eels in rivers of this Commonwealth, in addition to such rods and lines, eel chutes from the first day of August to the last day of November in each year, Sundays excepted, but only from four o'clock in the afternoon to eight o'clock in the morning on such days, when a special license therefor, in addition to the regular fishing license, has been first secured. Eel chutes to be lawful shall not have any wings of netting of any kind, or any cloth or wire netting, but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom. Eel chutes shall not be more than five feet long, and the width of entrance of an eel chute shall not be more than ten feet. A metal tag, issued at the time the special license is secured, shall be securely fastened to the eel chute in a conspicuous place.*

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river. The heads of no two wing walls, when constructed side by side, shall be closer together than a distance of twenty feet.

All eel chutes must be kept free of rubbish, and all game fish found therein must be immediately returned to the water of the river uninjured.

During the hours of each day, and on Sunday, when the operation and use of eel chutes is not legal under this section, a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes.

Section 2. That section two hundred and twenty of said act, which was amended by section one of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred fifty-one), is hereby further amended to read as follows:

Section 220, as amended by act of April 9, 1929 (P. L. 451), further amended.

Section 220. Resident Fishing License Fees.—For the purposes of this article, every person sixteen years of age and upward, upon application to any county treasurer within the Commonwealth, or to the Department of Revenue, and the presentation of proof that he has been a bona fide resident of this Commonwealth for a period of thirty days preceding his application and was born in the United States, or was fully naturalized under the laws of the United States, shall, upon the payment to the county treasurer or the Department of Revenue of a license fee of one dollar and fifty cents for the use of the Commonwealth, and, in the event that the license is issued by a county treasurer, a fee of ten cents for the use of the county treasurer, be entitled to the license herein referred to as “a resident fishing license.”

Upon the making of an application by any person to the department or county treasurer for a special license to catch eels by the use and operation of eel chutes, and the payment of a fee of one dollar for the use of the Commonwealth, and ten cents for the use of the county treasurer where application is made to him, such person shall be entitled to a special eel chute license, and a special metal tag, which shall give him the right to use and operate an eel chute in the Susquehanna River below the northern boundary of Berwick on the north branch, below the bridge at the Northumberland-Lycoming County line on the west branch, in the Juniata River below Mount Union, and in the Delaware River below Easton, in accordance with the provisions of this act.

APPROVED—The 2d day of June, A. D. 1933.

GIFFORD PINCHOT