

sation, together with such person's discharge from the military or naval service, or an exemplified copy thereof, shall be full and conclusive evidence of such person's rights to the benefits of this act. *The prothonotary, issuing such certificate, shall require the applicant to furnish two photographs of the applicant, each bearing the signature of the applicant. One photograph shall be filed with the application, the other shall be attached to the certificate, when issued.*

Photographs required.

*The use of such certificate by anyone, other than the applicant, shall nullify such certificate, and shall nullify the privileges, under this act, of the applicant, permitting such measure.*

Use of certificate by anyone, other than applicant, prohibited.

APPROVED—The 1st day of May, A. D. 1935.

GEORGE H. EARLE

No. 50

AN ACT

Authorizing the selection of two additional jurors in civil and criminal cases to take the place of any juror, or jurors, who die, become ill, or are discharged for legal cause.

Section 1. Be it enacted, &c., That if in any trial, civil or criminal, in any of the courts of common pleas, municipal courts, and county courts, quarter sessions of the peace, or oyer and terminer and general jail delivery of any county, it is the opinion of the trial judge that the trial is likely to be a protracted one, and the district attorney or counsel for the plaintiff or for the defendant, or both, shall request the selection of two additional jurors as alternates, the court shall have power to allow the drawing of two additional jurors. Such alternate jurors shall be seated near the jury, with equal power and facilities for seeing and hearing the proceedings in the case, and shall take the same oath as the other jurors selected, and must attend, at all times upon the trial of the case, in company with the other jurors. They shall obey the orders of, and be bound by the admonitions of the courts upon each adjournment of the courts; but, if the regular jurors are ordered to be kept in custody during the trial of the cause, such alternate jurors shall also be kept in confinement with the other jurors, and, except as hereinafter provided, shall be discharged upon the final submission of the case to the jury. Such alternate jurors shall be drawn from the same source, in the same manner, and have the same qualifications as the other jurors drawn, and be subject to the same examinations; but shall not retire with the jury of twelve after the case is submitted to it, unless one or two of the jurors

Duties of alternate jurors.

shall have died, or in the opinion of the trial judge shall have become ill so to be unable to perform their duty, or discharged for other legal cause, in which case, the thirteenth juror shall take the place of the first juror becoming incapacitated, and the fourteenth juror shall take the place of the second juror becoming incapacitated. Such juror or jurors, so taking the place of any incapacitated juror or jurors, shall thereafter be deemed to be members of the jury of twelve, and shall have full power to take part in the deliberations of the jury, and the finding of the verdict. Any verdict found by any such jury, having thereon alternates, shall have the same force, effect, and validity as if found by the original jury of twelve.

Peremptory  
challenge  
provided.

Where the court allows two alternate jurors in accordance with this act, each side shall have one additional peremptory challenge in the selection of said two alternate jurors.

Repealing  
section.

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 1st day of May, A. D. 1935.

GEORGE H. EARLE

No. 51

AN ACT

Prohibiting the future erection and maintenance of obstructions, dangerous to aerial transport, adjacent to or near an airport, landing field or intermediate landing field.

Section 1. Be it enacted, &c., That in order to promote public health, safety, and the general welfare, and to insure the protection and development of established lanes of commerce and navigation by air, it is hereby declared to be unlawful for any person, firm or corporation to hereafter erect and maintain any smoke stack, flag pole, elevated tank, radio station tower, building or other structure or obstruction to the operation of aircraft, of a height in excess of thirty-five (35) feet, within five hundred (500) feet of the exterior boundaries of any airport, landing field, or intermediate landing field, within and licensed by this Commonwealth.

Penal section.

Section 2. Any person violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof in a court of quarter sessions, shall be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution, or undergo imprisonment for not more than one (1) year, or suffer both such fine and imprisonment. Each day's continuation of a violation of the provisions of this act shall be deemed a separate and distinct offense.