

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 All acts and parts of acts inconsistent herewith are hereby repealed.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

Section 3. The provisions of this act shall become <sup>When effective.</sup> effective immediately upon its final enactment.

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

GEORGE H. EARLE

No. 52

AN ACT

Authorizing the abatement of certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes.

Section 1. Be it enacted, &c., That all penalties and interest imposed on delinquent county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes, for the tax year one thousand nine hundred and thirty-four and all previous years, assessed ~~on any~~ <sup>on</sup> real estate, shall be abated by the authority levying the tax, if said delinquent taxes are paid as hereinafter provided. Providing for the abatement of tax penalties.

In order to receive the benefits of this act, twenty per centum of the delinquent taxes due for the tax year one thousand nine hundred and thirty-four and for all previous years shall be paid on, or before, the first day of November, one thousand nine hundred and thirty-five; twenty per centum on, or before, the first day of November, one thousand nine hundred and thirty-six; twenty per centum on, or before, the first day of November, one thousand nine hundred and thirty-seven; twenty per centum on, or before, the first day of November, one thousand nine hundred and thirty-eight; and the final twenty per centum on, or before, the first day of November, one thousand nine hundred and thirty-nine; and provided further, that the respective current taxes for the years during such installment periods shall be paid before they become delinquent. Conditions to be complied with in order to receive the benefits of the act.

If any taxpayer, availing himself of the provisions of this act, shall fail to pay any installment of taxes, as hereinbefore provided, for the tax year one thousand nine hundred and thirty-four and all previous years, as hereinbefore provided; then the penalties and interest due on such unpaid installment or installments shall not be abated.

Any taxpayer may anticipate the payment of such delinquent taxes for the tax year one thousand nine hundred and thirty-four and previous years, and receive the benefit of this act. May anticipate payments.

This act shall be construed to apply to all taxes whether, or not, liens for such taxes have been returned for