

net profits, after stumpage and the direct expenses of the department have been deducted, derived from the sale of [land or its] wood products, resulting from Emergency Conservation Work Projects, [as may be required by Federal law or order] said proportion to be determined by written agreement between the Department of Forests and Waters and the Secretary of the United States Department of Agriculture: Provided, That in no case shall the payment to the Government of the United States exceed the rate of one dollar (\$1.00) per man per day for the time spent on projects, nor more than a maximum of three dollars (\$3.00) per acre of forest area covered by the projects.

Proviso.

When effective.

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

APPROVED—The 16th day of March, A. D. 1937.

GEORGE H. EARLE

No. 26

AN ACT

Authorizing political subdivisions to stipulate in specifications, upon which contracts for the construction, alteration or repairs of any public work or improvement are entered into, the minimum wages to be paid to laborers and mechanics, and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated, and for the recovery of such penalties, and their return in certain cases.

Counties and municipalities in contracts may specify minimum wages to be paid by contractor.

Section 1. Be it enacted, &c., That the specifications upon which contracts are entered into by any county, city, borough, town, township, school district or poor district for the construction, alteration or repairs of any public work or improvement may, at the option of any such political subdivision, contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement, and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages.

Penalty for failure to live up to contract.

Section 2. Every contract for the construction, alteration or repair of any public work or improvement, founded on specifications containing any such stipulation for minimum wage or wages, shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications, and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications.

Inspectors to report violations.

Section 3. Every officer or person designated as an inspector of or having supervision over the work to be

performed under any such contract, in order to aid in enforcing the fulfillment thereof, shall, upon observation or investigation, report to the corporate authorities of the political subdivision, or agency thereof, which let the contract, all violations of minimum wage stipulations, together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications, and the day or days of such violation.

Section 4. All such penalties shall be withheld and deducted for the use of the political subdivision from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor, whether the violation of the minimum wage stipulation of the specifications was by the contractor or by any of his subcontractors: Provided, That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract, the political subdivision shall pay to the contractor the amounts, so withheld, as penalties.

Penalties to be withheld from moneys due the contractor.

Section 5. This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 16th day of March, A. D. 1937.

GEORGE H. EARLE

No. 27

AN ACT

To repeal section two of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred sixty), entitled "An act designating the official flag of the Commonwealth of Pennsylvania, and describing the same; providing for the carrying of such flag by the regiments of the National Guard of Pennsylvania; authorizing the Secretary of the Commonwealth to provide, and have deposited in the office of Secretary of the Commonwealth, a model of said flag, and making an appropriation therefor."

Section 1. Be it enacted, &c., That section two of the act, approved the thirteenth day of June, one thousand nine hundred and seven (Pamphlet Laws, five hundred sixty), entitled "An act designating the official flag of the Commonwealth of Pennsylvania, and describing the same; providing for the carrying of such flag by the regiments of the National Guard of Pennsylvania; authorizing the Secretary of the Commonwealth to provide, and have deposited in the office of Secretary of the Commonwealth, a model of said flag, and making an appropriation therefor," which reads as follows:

Section 2, act of June 13, 1907 (P. L. 560), repealed.

"Section 2. The flag of the Commonwealth of Pennsylvania to be carried by regiments of the National Guard of Pennsylvania shall be the same as the flag de-

Regimental flag.