

third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties to rent and lease road machinery.

Section 874, act of May 2, 1929 (P. L. 1278), amended.  
Counties.

Section 1. Be it enacted, &c., That section eight hundred seventy-four of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand two hundred seventy-eight), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," is hereby amended to read as follows:

Maintenance and repair of county roads and turnpikes.

Section 874. Maintenance and Repair of County Roads and Turnpikes.—The commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of abandoned or condemned turnpike roads, and of all public roads or highways which may be originally located or improved as county roads, or which have been originally located or improved as township roads and have become county roads. They may invite proposals for maintaining and repairing such roads or parts thereof, in accordance with such plans and estimates, and award the contract therefor in like manner as contracts for new improvements, or they may make the necessary repairs themselves. For the purpose of making such repairs, the commissioners may employ or appoint the proper persons and buy the necessary [machinery and] materials, *and buy or rent the necessary machinery. Counties may also lease any of its machinery to any political subdivision within the county, upon such terms and conditions as may be agreed upon.*

Counties may lease machinery to political subdivisions within the county.

When effective.

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

APPROVED—The 8th day of April, A. D. 1937.

GEORGE H. EARLE

—  
No. 66

AN ACT

Relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties.

"Consumer Discount Company Act."

Section 1. Short Title.—Be it enacted, &c., That this act shall be known, and may be cited, as the "Consumer Discount Company Act."

Section 2. Definitions.—The following terms shall be construed in the act to have the following meanings, except in those instances where the context clearly indicates otherwise:

“Person” includes an individual, partnership, association, business corporation, nonprofit corporation, common law trust, joint-stock company or any other group of individuals however organized.

“Contract” means a promissory or judgment note, bill of exchange, judgment, mortgage, conditional sales, contract, lease or bailment by which the lessee or bailee has the option of becoming or is bound to become the owner of real or personal property upon full compliance with the terms of the agreement, or any other form of negotiable or nonnegotiable instrument evidencing an agreement to pay a sum certain in money at a fixed or determinable time, either by a single payment or by stated installments.

“Applicant” means a corporation applying for a license under the provisions of this act.

“Licensee” means a corporation holding a license issued under the provisions of this act, which license has not been cancelled, surrendered or revoked and has not expired.

“Consumer” means the person who is the maker on a note, or the acceptor of a bill of exchange, or the defendant on a judgment, or the mortgagor on a mortgage, or the lessee on a lease, or the bailee on a bailment, or the purchaser on a conditional sales contract, or the person or persons obligated to pay any other negotiable instrument defined as a “contract” under this act.

“Charges” means the interest or discount and investigation fees which a licensee is authorized to collect by the provisions of this act.

“Default” means failure to pay a contract when due or failure to pay any stated installment when due.

Section 3. License Required.—A. On and after the effective date of this act, no person, partnership, association, foreign business corporation organized under or by virtue of any laws other than those of this Commonwealth, nonprofit corporation, common law trust, joint-stock company, or any other group of individuals however organized, shall engage or continue to engage in this Commonwealth, either as principal, employe, agent or broker, in the business of negotiating or making loans or advances of money or credit, in the amount or value of one thousand dollars (\$1,000) or less, and charge, collect, contract for or receive interest, discount, bonus, fees, fines, commissions, charges, or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced, or on

Definitions.

License required.

the unpaid principal balances when the contract is payable by stated installments.

B. On and after the effective date of this act, no domestic business corporation organized under or existing by virtue of the Business Corporation Law of this Commonwealth, and no director, officer, employe, agent or member of such corporation, shall engage or continue to engage in this Commonwealth, either as principal, employe, agent or broker, in the business of negotiating or making loans or advances of money or credit, in the amount or value of one thousand dollars (\$1,000) or less, and charge, collect, contract for or receive interest, discount, bonus, fees, fines, commissions, charges, or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced, or on the unpaid principal balances when the contract is payable by stated installments, without first obtaining a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act.

Applications to be made on forms prescribed by Secretary of Banking.

Section 4. Application for License.—The application for such license shall be in writing, under oath and in the form prescribed by the Secretary of Banking. The application shall contain the corporate title of the applicant, which shall include the words "Consumer Discount Company"; the street and number, if any, office building and room number, if any, city, borough, township or municipality, and county where the business is to be conducted; date of incorporation; name and residence address of all directors; and such other information as the Secretary of Banking may require.

Separate application for each place of business.

Bond of \$5,000 shall accompany every application.

A separate application on the prescribed form shall be filed for each place of business conducted by a licensee.

Section 5. License Bond.—A bond in the penal sum of five thousand dollars (\$5,000) shall accompany every application for license. Such bond shall be executed by a surety company authorized by the laws of Pennsylvania to transact business within this Commonwealth. The bond shall be renewed and refiled annually not later than June first. The bond shall be executed to the Commonwealth of Pennsylvania and shall be for the use of the Commonwealth and for any person or persons who may have a cause of action against the licensee. The condition of the bond shall be that the licensee will comply with and abide by all the provisions of this act and all the rules and regulations of the Secretary of Banking, lawfully issued in accordance with this act, and that the licensee will pay to the Commonwealth, to the Secretary of Banking, or to any person or persons, any and all monies that may come due to the Commonwealth, to the Secretary of Banking, or to any person or persons, from the said licensee under and by virtue

of the provisions of this act. If any person shall be aggrieved by the misconduct of a licensee and shall recover judgment against such licensee, such person may, on any execution issued under such judgment, maintain an action upon the bond of the licensee in any court having jurisdiction of the amount claimed, provided the Secretary of Banking assents thereto.

A separate bond shall be provided for each place of business conducted by a licensee.

Section 6. License Fee.—A license\* fee of one hundred dollars (\$100) shall accompany each application for license under this act. All licenses shall expire on June first annually. The license fee of one hundred dollars (\$100) shall be paid annually on or before June first. No abatement of the said license fee shall be made if the license is issued for less than one year. An additional license fee of one hundred dollars (\$100) shall be paid for each place of business conducted by a licensee.

License fee of  
\$100.

All license fees and fines received by the Secretary of Banking under this act shall be deposited in the State Treasury to the credit of the Banking Department Fund for the use of the Secretary of Banking in administering this act.

Section 7. Organization; Minimum Capital.—A license under the provisions of this act shall be issued only to a corporation organized under the Business Corporation Law of the Commonwealth of Pennsylvania. Such corporation shall be incorporated with a minimum capitalization of twenty-five thousand dollars (\$25,000). At the time of applying for a license under this act, the minimum subscribed capital shall be twenty-five thousand dollars (\$25,000), and the minimum paid in capital shall be ten thousand dollars (\$10,000). The minimum subscribed capital of twenty-five thousand dollars (\$25,000) shall be fully paid in within one year of the date of issuance of the license.

Corporations en-  
titled to licenses.

Section 8. Issuance of License.—The Secretary of Banking, if he approves the application for license, shall issue to each applicant a certificate showing the name of the corporation and address of the place of business. Such license shall be posted in a conspicuous place in the office of the licensee so that it will be in full view of the public at all times. A license may not be transferred or assigned. A licensee may, with the approval of the Secretary of Banking, change his place of business to another location within the same municipality. A licensee desiring to change his place of business shall give written notice thereof to the Secretary of Banking and return the license certificate to the Secretary of Banking for amendment. The Secretary of Banking, if

Secretary of  
Banking to issue  
the license, if  
application  
approved.

Licensee, desir-  
ing to change  
his place of  
business, shall  
give notice to  
Secretary of  
Banking.

\* "licensee" in the original.

he approves the removal of the place of business, shall endorse on the license his approval of the change of address and the date thereof, which shall thereafter be the authority for the operation of such business under such license at the new location. No change in the place of business of a licensee to a location outside the original municipality shall be permitted: Provided, however, A licensee may obtain a new license for a place of business in a new location in a municipality other than that in which the original place of business was located. Only one place of business may be operated under the same license.

Proviso.

Separate license for each place of business.

A licensee may operate more than one place of business by obtaining a separate license by filing an application for each additional place of business, and by furnishing a bond for each additional place of business and by paying the license fee provided in this act for each additional place of business.

Licensees must keep records of the business transacted.

Section 9. Records Required.—Licensees operating under the provisions of this act shall maintain adequate and complete records of all business transacted, containing such information and in such form as shall be prescribed by the Secretary of Banking by general rule or regulation. The records of licensees shall be maintained in the English language. The records of licensees shall be retained for a period of two years after the date of final payment on any contract.

Records shall be retained for 2 years.

Licensees shall report annually to Secretary of Banking.

Section 10. Reports to the Secretary of Banking.—Licensees operating under the provisions of this act shall annually, on or before the first day of March, file a report with the Secretary of Banking, giving such relevant information concerning the business and operations during the previous calendar year as the Secretary of Banking may require. Such report shall be made under oath and shall be in the form prescribed by the Secretary of Banking. A separate report shall be filed for each place of business maintained by a licensee. The Secretary of Banking may at any time upon thirty (30) days notice require a licensee to file special reports in addition to the annual report. For failure to file such reports within the time specified, the licensee shall pay to the Secretary of Banking a penalty of ten dollars (\$10) for each calendar day which such report is overdue, but the Secretary of Banking may, in his discretion, relieve a licensee of any portion or of all such fine. Such fine, which has not been paid by the licensee and for the payment of which the licensee has not been relieved, may be collected by the Secretary of Banking from the bonding company which has executed the bond required under this act, and the Secretary of Banking may maintain an action for the recovery of such fine in any court of competent jurisdiction.

Penalty for failure to report.

Section 11. Examinations by the Secretary of Banking.—The Secretary of Banking, and any person designated by him for that purpose, may at any time investigate the business and affairs and examine the books, accounts, papers, records, documents, and files therein of every licensee and of every person who shall be engaged in business contemplated by this act, whether such person shall act or claim to act as principal, agent or broker, or under or without the authority of this act. For this purpose the Secretary of Banking shall have free access to the offices and places of business, books, accounts, papers, records, documents, files, safes and vaults of all such persons. A person, who is not licensed under this act, shall be presumed to be engaged in business contemplated by this act if he advertises or solicits business as principal, agent or broker for which a license is required by the provisions of this act, and the Secretary of Banking, and any person designated by him for that purpose, is in such cases authorized to examine the books, accounts, papers, records, documents, files, safes and vaults of such persons for the purpose of discovering violations of this act.

Secretary of Banking may investigate the business of any licensee.

The cost of every examination of the business of a licensee by the Secretary of Banking, or his duly authorized representative, shall be paid by the licensee so examined, and the Secretary of Banking may collect such costs from the licensee or from the surety company which has executed the bond required under this act, and he may maintain an action for the recovery of such costs in any court of competent jurisdiction.

Cost of any examination to be paid by the licensee.

Section 12. Authority of the Secretary of Banking.—The Secretary of Banking shall have the power to reject any application for license if he is satisfied that the financial responsibility, experience, character and general fitness of the person or persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly, fairly, and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth, or if he is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted: Provided, however, That no license may be issued, if any director, officer, employe, or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act, or if any director, officer, employe, or agent of the applicant corporation was a director, officer, employe, or agent of a corporation which had been con-

Secretary of Banking may reject applications.

Providso.

victed of a second offense violation of this act and had its license revoked.

The Secretary of Banking may revoke licenses.

The Secretary of Banking, upon thirty (30) days' written notice to the licensee, forwarded by registered mail to the place of business of such licensee, as shown on the application for license, stating the contemplated action and in general the grounds therefor, may revoke any license if the licensee shall violate any provision of this act; or if the licensee shall violate any rule or regulation issued by the Secretary of Banking under and within the authority of this act; or if a licensee shall fail to comply with any demand, rule or regulation, lawfully made by the Secretary of Banking under and within the authority of this act; or if the licensee shall refuse to permit the Secretary of Banking, or his designated representative, to make examinations authorized by this act; or if the licensee shall fail to pay the cost of examination by the Secretary of Banking, or his duly authorized representative; or if the licensee has failed to maintain in effect the bond required under the provisions of this act; or if the licensee has failed to maintain records prescribed by the Secretary of Banking; or if the licensee has failed to file the annual report to the Secretary of Banking within the time stipulated in this act; or if the licensee, having failed to file the annual report within the stipulated time, has not paid the fine required under this act; or if any fact or condition exists or is discovered, which, if it had existed or had been discovered at the time of filing of the application for such license, would have warranted the Secretary of Banking in refusing to issue such license. Whenever the Secretary of Banking has issued a notice of intention to revoke a license, the licensee may within the period of thirty (30) days provided in the notice, appeal from such action to the courts of Dauphin County. Whenever such license is revoked, the Secretary of Banking shall not issue another license to the licensee until the expiration of at least one year from the date of revocation of said license and not at all if such licensee, or any officer, director, employe or agent thereof, shall have been convicted for a second offense violation of this act.

Appeal to courts of Dauphin County.

The Secretary of Banking may issue rules and regulations governing records to be kept by licensees.

The Secretary of Banking is hereby authorized and empowered to issue rules and regulations governing the records to be maintained by licensees, the statements of contract to be given consumers, the receipts for payment of contracts to be given consumers, the foreclosure and replevin of real or personal property upon default, and the procedure for sale of real or personal property upon default, and he is further authorized and empowered to issue such general rules and regulations as may be necessary for the protection of the public, for insuring the proper conduct of the business contemplated by this act,

and for the enforcement of this act, which rules and regulations shall have the force and effect of law.

The Secretary of Banking shall be authorized to require the attendance and testimony of witnesses and the production of any books, accounts, papers, records, documents, and files relating to such business which the Secretary of Banking has authority by this act to investigate, and, for this purpose, the Secretary of Banking may sign subpoenas, administer oaths and affirmations, examine witnesses and receive evidence. In case of disobedience of any subpoena or the contumacy of any witness appearing before the Secretary of Banking, the Secretary of Banking may invoke the aid of the courts of Dauphin County or any court of the Commonwealth, and such court shall thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or to produce books, accounts, papers, records, documents, and files relative to the matter in question. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

The Secretary of Banking may issue subpoenas, etc.

Section 13. Powers Conferred on Licensees.—In addition to the general powers conferred upon a corporation by the Business Corporation Law of this Commonwealth, a corporation licensed under this act shall have power and authority:

Powers of licensees enumerated.

A. To lend money, credit, goods or things in action in amounts not exceeding one thousand dollars (\$1,000) and charge interest and fees herein provided.

B. To lend money on the security of real or personal property or without security.

C. To lend money on promissory or judgment notes with or without co-makers, endorsers, guarantors or sureties.

D. To purchase contracts evidencing an agreement to pay a sum certain in money or credit at a fixed or determinable time.

E. To charge, contract for, receive or collect interest or discount at a rate not to exceed six per cent. (6%) of the principal amount of a contract which is payable in one year by a single payment, or is payable in equal installments amortized over a period of one year. On contracts for periods which are less or greater than one year, the interest or discount shall be computed proportionately on even calendar months: Provided, however, That for a period less than one month the computation may be based on a full calendar month.

Proviso.

F. To charge, contract for, receive or collect an investigation fee of one dollar (\$1.00) for each fifty dollars (\$50), or fraction thereof, on a contract of five hundred dollars (\$500) or less, and one dollar (\$1.00) on each one hundred dollars (\$100), or fraction thereof,

of the amount of a contract in excess of five hundred dollars (\$500) on any contract not exceeding one thousand dollars (\$1,000).

Proviso.

G. To collect for interest and investigation fee a minimum charge of three dollars (\$3.00) on any contract of twenty-five dollars (\$25) or less, which is payable in one year by a single payment, or is payable in equal installments amortized over a period of one year, and a minimum charge of six dollars (\$6.00) on any contract in excess of twenty-five dollars (\$25), which is payable in one year by a single payment, or is payable in equal installments amortized over a period of one year. On contracts for periods which are less or greater than one year, a proportionate minimum charge may be collected which shall be computed on even calendar months: Provided, however, That for a period less than one month the computation of the minimum charge may be based on a full calendar month.

H. To collect or deduct interest and investigation fees in advance; or to add interest and investigation fees to the principal amount of the contract and divide the total into equal installment payments; or to collect interest and investigation fees wholly or partially at any time during the term of the contract; or to collect interest and investigation fees at the end of the term of the contract.

J. To require payment of contracts in equal weekly, semi-monthly, monthly or any other periodic installments.

Proviso.

K. To collect an additional charge for default in the payment of any contract or for default in the payment of any installment on a contract at the rate of one and one-half per cent. (1½%) per month on the amount in arrears: Provided, however, A minimum charge of twenty-five cents (\$.25) may be collected for any default.

L. To renew contracts and/or extend or defer any or all installment payments on a contract. On a contract which is renewed prior to the expiration of the term of the contract, a proportionate refund shall be made of unearned interest or discount which has been prepaid. On payments which have been extended or deferred, additional interest or discount may be collected which shall be computed at the rate applicable to the original contract.

M. To collect from the consumer, in addition to the interest or discount and investigation fees permitted under this act, the actual fees charged by a public official or agency of the Commonwealth for recording and satisfying a judgment, mortgage, encumbrance or lien on any real or personal property which constitutes security on a contract.

N. To collect from the consumer, in addition to the interest or discount and investigation fees permitted under this act, the premium actually paid for insuring real or personal property pledged as security on a loan, provided insurance is obtained from an insurance company authorized by the laws of Pennsylvania to conduct business in this Commonwealth.

P. To collect attorney's fees and court costs incurred in the collection of any contract in default.

Section 14. Licensee Requirements and Limitations.— A licensee shall not charge, contract for, collect or receive interest, discounts, fees, fines, commissions, charges or other considerations in excess of the interest or discount, investigation fees, default charges, recording and satisfaction fees or premiums for insurance authorized by the provisions of this act.

Limitations upon licensees enumerated.

A licensee shall not split or divide any contract so as to obtain charges in excess of those authorized by this act.

A licensee shall permit a consumer to pay partially or wholly any contract or any installment on a contract, prior to the due date. On any contract which is prepaid, the licensee shall refund to the consumer unearned interest or discount in excess of twenty-five cents (\$.25). Such refund may be computed and paid at the time of final payment on the contract.

A licensee shall not charge, contract for, receive or collect the investigation fee authorized by this act on any contract which is renewed prior to the expiration of eight (8) months from the date of the original contract: Provided, however, That when a contract is renewed for an amount in excess of the original contract prior to the expiration of eight (8) months from the date of the original contract, the investigation fee may be charged on the excess amount.

Proviso.

All installment contracts shall provide for repayment in equal periods and in equal amounts or as nearly equal as circumstances permit.

A licensee shall not charge or collect a fee for investigating an application or any other fee if a contract is not consummated.

A licensee shall not discount or deduct interest in advance on any contract, for any period in excess of two years.

Section 15. Statement of Contract.—A licensee shall furnish to the consumer a statement setting forth the type of contract, description of the security on the contract, the date of the contract, the total amount due on the contract, the date upon which the contract is due or the dates upon which the installment payments are payable, the amount of such installment payments, and a statement indicating the basis for computing default

Licensee shall give the consumer a statement, showing debt, amount of payments, when payments are due, etc.

charges. No default charges may be collected if the statement of contract does not give due notice of the licensee's intention to collect default charges. This statement of the contract shall contain such additional information as the Secretary of Banking may require.

Upon receipt of payments, licensee shall furnish a receipt.

Section 16. Receipts for Payment.—A licensee shall furnish, at the time of payment of a contract or at the time of payment of any installment on a contract, a receipt setting forth the date of the payment, the amount paid and the amount remaining due and identifying the contract upon which the payment is to apply. If the payment includes charges for default, the receipt shall show the amount of such charges separately. The receipt of payment shall contain such additional information as the Secretary of Banking may require.

Scope of the act.

Section 17. Scope of Act.—This act shall not affect any existing laws, special or general, authorizing a charge for the loan of money in excess of interest at the legal rate. This act shall not apply to any person, persons, partnership, association or corporation operating under the laws related to banking institutions, building and loan associations, credit unions or licensed under the Small Loans Act, approved June seventeen, one thousand nine hundred fifteen, and supplements or amendments, or licensed by the Secretary of Banking of the Commonwealth of Pennsylvania under the provisions of any other statute. This act shall not apply to any bona fide sale of personal property by a person regularly engaged in the sale of such personal property, wherein the purchaser may pay any part or all of the purchase price in stated installments, nor to any such\* bona fide sale under a conditional sale contract, lease or bailment, wherein the purchaser, lessee or bailee has the option of becoming, or is bound to become, the owner of the property upon full compliance with the terms of the agreement.

Penalties.

Section 18. Penalties.—Any person, partnership, association, foreign business corporation, nonprofit corporation, common law trust, joint-stock company, or any other group of individuals however organized, or any domestic business corporation which has not obtained a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act, or any partner, director, officer, employe, agent, or member thereof, who shall engage in the business of negotiating or making loans or advances of money or credit, in the amount or value of one thousand dollars (\$1,000) or less, and charge, collect, contract for or receive interest, discount, bonus, fees, fines, commissions, charges or other considerations which aggregate in excess of six per cent (6%) per year on

\* "so" in the original."

the amount actually loaned or advanced, or on the unpaid principal balances when the contract is payable by stated installments, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000), and/or suffer imprisonment not less than six (6) months nor more than three (3) years, in the discretion of the court.

A corporation licensed under the provisions of this act or any director, officer, employe or agent who shall violate any provision of this act or shall direct or consent to such violations, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000) for the first offense, and for each subsequent offense a like fine, and/or suffer imprisonment not to exceed one year, in the discretion of the court.

The payment of one thousand dollars (\$1,000) or less, in money, credit, goods or things in action as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this act, be deemed a loan secured by such assignment, and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall, for the purpose of regulation under this act, be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable. Such transactions shall be governed by and subject to the provisions of this act.

The payment of one thousand dollars (\$1,000) or less, in money, credit, goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement, expressed or implied, that such property be sold back at a greater price shall, for the purpose of this act, be deemed to be a loan secured by such property, and the amount by which the repurchase price exceeds such original purchase price actually paid shall be deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid. Such transaction shall be governed by and subject to the provisions of this act.

When real or personal property is pledged as security on a loan of one thousand dollars (\$1,000) or less, and the lender requires the borrower to pay for insurance thereon, such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania. When the amount charged for such insurance is in ex-

cess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania, the excess shall be construed as interest under this act.

Constitutional provision.

Section 19. Interpretation of Act.—The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included.

Section headings shall not be taken to govern or limit the scope of the sections of this act. The singular shall include the plural, and the masculine shall include the feminine or neuter.

Inconsistent acts repealed.

Section 20. Repealer.—All acts or parts of acts which are inconsistent herewith are hereby repealed.

When effective.

Section 21. Effective Date.—This act shall become effective on the first day of June, one thousand nine hundred thirty-seven, or if subsequently enacted, this act shall become effective immediately upon final enactment.

APPROVED—The 8th day of April A. D. 1937.

GEORGE H. EARLE

No. 67

### AN ACT

To amend section one thousand seven hundred and five of and to add section one thousand seven hundred and ten to the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," imposing certain additional powers and duties upon the Department of Agriculture.

Administrative Code.

Section 1. Be it enacted, &c., That section one thousand seven hundred and five of the act, approved the