

Secretary of the Commonwealth to submit charters to State Council of Education.

Section 3. The Secretary of the Commonwealth and the courts of common pleas shall not approve any corporate name including the word "college" used in such a way as to give the impression that it is an educational institution conforming to the standards and qualifications prescribed by the State Council of Education, unless the application for incorporation or change of name is accompanied by a certificate from the Department of Public Instruction that the corporation or proposed corporation is entitled to use such designation.

Injunction to restrain the use of the word.

Section 4. Upon application of the Department of Justice any court of common pleas shall, in a proper case where a violation of this act is shown, grant an injunction restraining the use of the designation of "college."

Penalty.

Section 5. Any person, copartnership, association or corporation violating any of the provisions of this act shall, upon summary conviction thereof, be sentenced to pay a fine not to exceed one hundred dollars (\$100), or in the case of individuals, the members of copartnerships and the officers of associations and corporations to undergo imprisonment for not more than thirty (30) days, or both.

Inconsistent acts repealed.

Section 6. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 7th day of May, A. D. 1937.

GEORGE H. EARLE

No. 151

AN ACT

To amend sections one thousand four hundred and forty-one and one thousand seven hundred and sixteen as added of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further defining cost of tuition.

Public schools.

The first paragraph of section 1441, act of May 18, 1911 (P. L. 309), as added by section one, act of May 1, 1925 (P. L. 435), further amended.

Section 1. Be it enacted, &c., That the first paragraph of section one thousand four hundred and forty-one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain

the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as added by section one of the act, approved the first day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred thirty-five), is hereby amended to read as follows:

Section 1441. Definition of cost of tuition. The term "cost of tuition," or the term "cost of tuition, text-books, and school supplies," as used in article fourteen of the act to which this is an amendment, shall after the first day of July, [one thousand nine hundred and twenty-five] *one thousand nine hundred and thirty-seven*, include the cost of the following items: (1) instruction, including salaries of members of the teaching and supervisory staff, and attendance of teachers at institutes; (2) text-books, *including library books furnished to school libraries*, and school supplies *limited to the repair and replacement of typewriters and school apparatus, and such supplies as are, by section seven hundred and six of this act, designated school supplies of the second class*; and (3) fuel, light, water, and janitor service; and shall also include ten per centum (10%) of the total cost of said items. Calculation of the cost of tuition in any district shall be made separately for elementary and high school pupils respectively.

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cost of tuition

Section 2. Section one thousand seven hundred and sixteen of said act, as added by section two of the act, approved the first day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, four hundred thirty-five), is hereby amended to read as follows:

Section 1716 as
added by act of
May 1, 1925
(P. L. 435),
amended.

Section 1716. Definition of cost of tuition. The term "cost of tuition," or the term "cost of tuition, text-books, and school supplies," as used in article seventeen of the act to which this is an amendment, shall after the first day of July, [one thousand nine hundred and twenty-five] *one thousand nine hundred and thirty-seven*, include the cost of the following items and no others: (1) instruction, including salaries of members of the teaching and supervisory staff, and attendance of teachers at institutes; (2) text-books, *including library books furnished to school libraries*, and school supplies *limited to the repair and replacement of typewriters and school apparatus, and such supplies as are, by section seven hundred and six of this act, designated school supplies of the second class*; and (3) fuel, light, water, and janitor service, and shall also include ten per centum (10%) of the total cost of said items. Calculation of the cost of tuition in any district shall be made separately for elementary and high school pupils respectively. The per capita cost of tuition herein specified shall be com-

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puted upon the basis of the average daily attendance for the entire school term.

APPROVED—The 7th day of May, A. D. 1937.

GEORGE H. EARLE

No. 152

AN ACT

To further amend section six of the act, approved the second day of May, one thousand eight hundred ninety-nine (Pamphlet Laws, one hundred eighty-four), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," by clarifying the provisions relating to appeals.

Taxation.

Section 6, act of May 2, 1899 (P. L. 184), as amended by act of April 25, 1929 (P. L. 681), further amended.

Section 1. Be it enacted, &c., That section six of the act, approved the second day of May, one thousand eight hundred ninety-nine (Pamphlet Laws, one hundred eighty-four), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," as amended by the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, six hundred eighty-one), is hereby further amended to read as follows:

Appraiser to forward blank before visit.

Section 6. It shall be the duty of each mercantile appraiser, appointed under the provisions of this act, to forward by mail, at least ten days prior to the date when he makes a personal visit to the place of business of every person whom he is required by law to ascertain and assess, a blank prepared for distribution by the Department of Revenue as hereinbefore provided. It shall be the further duty of the mercantile appraisers, after mailing the blank as hereinbefore provided, in the several cities and counties of this State, personally to visit the store, or other place of business, of every vender of or dealer in goods, wares and merchandise, and, at the time of such visit, to require each vender or dealer to make a return, under oath or affirmation, of the goods sold for the preceding calendar year, on the blank forwarded and he is hereby empowered to administer an oath or affirmation, for that purpose. If the mercantile appraiser is dissatisfied with the return so made by the vender or dealer, he shall ascertain and assess the mercantile license tax according to the classification so made. He shall also leave a written or printed notice, to be prepared and furnished by the Department of Revenue, specifying the classification and amount of license money to be paid by such person to this State, and also the time and place, when and where an appeal will be held as re-

Return under oath.

If dissatisfied with return.

Notice of classification.