

All other acts or parts of acts, inconsistent herewith, are also hereby repealed.

The provisions of existing law respecting magistrates' courts of the city of Philadelphia and the practice and procedure therein, in so far as the same do not conflict with or are not modified by the provisions of this act, shall remain in full force and effect.

Section 47. This act shall become effective on the fifteenth day of June, one thousand nine hundred thirty-seven.

When effective.

APPROVED—The 15th day of June, A. D. 1937.

GEORGE H. EARLE

No. 369

AN ACT

To re-enact and amend a part of section one of article three of the act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," providing for the removal and dismissal of policemen in cities of the second class.

Section 1. Be it enacted, &c., That so much of section one of article three of the act, approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," as relates to the removal and dismissal of policemen in cities of the second class is hereby re-enacted and amended to read as follows:

Part of section 1 of article 3, act of March 7, 1901 (P. L. 20), amended.

No policeman [or fireman] appointed under this act shall be dismissed without his written consent, except by the decision of a court either of trial or inquiry, duly determined and certified in writing to the [city recorder] *mayor*, which court shall be composed of *not less than three and not more than five* persons belonging to the police [or fire] force, equal or superior in official position therein to the accused. Such decision shall only be determined by trial of charges, with plain specifications made by or lodged with the director of the department of public safety, of which trial the accused shall have due notice, and at which he shall have the right to be present in person. The persons composing such court shall be appointed and sworn by the director of the department of public safety to perform their duties impartially and without fear or favor; and the person of highest rank in such court shall have the same authority to issue and enforce process to secure the attendance of witnesses, and to administer oaths to witnesses, as is

Dismissal of policemen regulated.

Accused to have notice.

possessed by any justice of the peace of this Commonwealth.

Charges.
Court of inquiry.

Such charges may be of disability for service, in which case the court shall be one of inquiry, whose decision may be for the honorable discharge from the service of the person concerned; or, of neglect or violation of law or duty, inefficiency, intemperance, disobedience of orders, or unbecoming official or personal conduct, in which cases the court shall be one of trial, and its decision may authorize the director of the department of public safety to impose fines and pecuniary penalties, to be stopped from pay, or to suspend from pay or duty, or both, for a period fixed by them, not exceeding one year, or to dismiss from the service. *The right of appeal of the decision of the trial board shall be made within five days to the civil service board.*

Court of trial.

Fines and
pecuniary
penalties.

Director of
public safety
may suspend
anyone under
charges.

It shall be lawful for the director of the department of public safety, at his discretion, to suspend from duty before trial any person charged, as aforesaid, until such trial can be had, with or without pay as such court shall afterward determine, but no trial shall be delayed for more than one month after charge has been made.

Act of April 14,
1931 (P. L. 33),
repealed in so far
as it relates to
cities of the
second class.

Section 2. The act approved the fourteenth day of April, one thousand nine hundred and thirty-one (Pamphlet Laws, thirty-eight), entitled, as amended "An act regulating the removal or dismissal of policemen and firemen in cities of the second class A, and the removal of policemen in cities of the second class," and its amendments, are hereby repealed in so far as they relate to cities of the second class.

When effective.

Section 3. This act shall become effective immediately upon its final enactment.

APPROVED—The 15th day of June, A. D. 1937.

GEORGE H. EARLE

No. 370

AN ACT

To re-enact and further amend the title and the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws, fifteen—one thousand nine hundred thirty-three—thirty-four), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off