

son having the power of a committing magistrate, be sentenced to pay the costs of prosecution and a fine of not less than twenty-five dollars nor more than three hundred dollars, *and in default of the payment of such fine and costs of prosecution, to undergo imprisonment not exceeding thirty days*; and any subsequent offense by such person or corporation shall constitute a misdemeanor, and, upon conviction thereof, such person or corporation shall be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars nor more than five hundred dollars, or undergo imprisonment not exceeding six months, or both, in the discretion of the court. Whenever imprisonment is imposed under this section, the term "person" or "corporation" as applied to associations, shall mean the partners or members thereof, and as applied to corporations, the officers thereof.

APPROVED—The 29th day of May, A. D. 1951.

JOHN S. FINE

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No. 119

AN ACT

To further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by amplifying the provisions thereof as to persons entitled to such payments.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Workmen's  
compensation.**

Section 1. Section 1 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of com-

Section 1, act of June 21, 1939, P. L. 566, as last amended by act of April 18, 1949, P. L. 507, further amended.

compensation to volunteer firemen or their dependents," as last amended by the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 507), is hereby further amended to read as follows:

Members of volunteer fire companies or departments included within definition of "employee."

Section 1. In addition to those persons included within the definition of the word "employee" as defined in section one hundred and four of the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine, there shall be included all members of volunteer fire companies or volunteer fire departments of the various cities, boroughs, incorporated towns, and townships, who shall be and are hereby declared to be "employees" of such cities, boroughs, incorporated towns, townships, for all the purposes of said act, and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended, or while participating in instruction fire drills in which the fire company of which they are members shall have participated, or while repairing or doing other work about or on the fire apparatus or buildings and grounds of such fire company upon the authorization of the chief or other person in charge, or while answering any emergency call for any purpose, or while riding upon the fire apparatus owned or used by the fire companies of which they are members, at any time, or while performing any other duties of such companies or fire department authorized by such cities, boroughs, incorporated towns and townships.

Compensation payable for injuries received while engaged as firemen or while going to or returning from any fire.

Instruction fire drills.

Repair work.

Answering emergency call.

Riding upon fire apparatus.

Performing any other duties.

Compensation provided in cases of self employment.

The city, borough, incorporated town or township as employer shall, in all cases, be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments, including self employment, and shall be liable for compensation on account of all wages and earnings resulting therefrom. In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department who is in whole or in part a self employer, and loss of earnings results therefrom, such earnings shall, for the purposes of this act, be regarded as wages.

The average weekly wage as so regarded shall be that most favorable to the employe, computed by dividing by thirteen the total earnings of the employe in the first, second, third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident.

Computation of average weekly wage in cases of self employers.

APPROVED—The 29th day of May, A. D. 1951.

JOHN S. FINE

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No. 120

AN ACT

To amend section 1412 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), 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," by setting forth the duties of the Deputy Adjutant General in Charge of Veteran Affairs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1412 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), 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,

"The Administrative Code of 1929."

Section 1412, act of April 9, 1929, P. L. 177, as added thereto by act of June 6, 1939, P. L. 250, amended.