

producing devices in certain retail stores within such cities and to provide penalties therefor," so far as it relates to cities of the third class.

All other acts or parts of acts of Assembly supplied by or inconsistent with the provisions of this act are hereby repealed. It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of cities of the third class, except as to the several matters enumerated in section one hundred and three of this act.

*But nothing contained in this act shall be construed to repeal any local or special laws; or to repeal the provisions of the Public *Utility Law; or any law relating to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; or the provisions of any law, the enforcement of which is vested in the Department of Health or the Sanitary Water Board; or the provisions of any law, the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board; or the provisions of the Airport Zoning Act; or any of the provisions of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (Pamphlet Laws 1108); or any of the provisions of the act, approved the thirteenth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 620); or any of the provisions of the act, approved the second day of July, one thousand nine hundred thirty-seven (Pamphlet Laws 2803), or any of the provisions of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (Pamphlet Laws 903); or any amendments or supplements of them; or any laws or parts of laws pertaining to civil defense.*

* "Utility" in original.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE

No. 165

AN ACT

To re-enact and amend the title and the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 796), entitled "An act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations," by extending the provisions thereof to national banking associations; making photostatic film reproductions or photographic or photostatic copies of

original records admissible in evidence equally and with the same force and effect as such original records; providing a means for the final adjustment and settlement of depositors' accounts; and saving certain parts of acts from repeal.

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

Section 1. The title of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 796), entitled "An act providing for the preservation of the records of banks, bank and trust companies, trust companies, savings banks, and private banks; and imposing penalties for violations," is hereby re-enacted and amended to read as follows:

Banks and
Banking.

Title, act of
May 15, 1933,
P. L. 796, re-
enacted and
amended.

AN ACT

Amended title.

Providing for the preservation of the records *or photographic film reproductions, or photographic or photostatic copies thereof*, of banks, bank and trust companies, trust companies, savings banks, [and] private banks, and *national banking associations*; providing that such *photographic film reproductions or photographic or photostatic copies shall be admissible in evidence equally and with the same force and effect as the original records*; providing a means for the final adjustment and settlement of depositors' accounts; saving certain parts of acts from repeal; and imposing penalties for violations.

Section 2. Section 1 of said act, as amended by the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-nine (Pamphlet Laws 204), is hereby re-enacted and amended to read as follows:

Section 1, said
act as amended
by act of May
25, 1939, P. L.
204, reenacted
and amended.

Section 1. Be it enacted, &c., That every bank, bank and trust company, trust company, and savings bank, incorporated under the laws of this Commonwealth, and every private bank and every national banking association transacting business within this Commonwealth, shall preserve, in such form and manner that they may be readily produced upon proper demand, all its records of original or final entry, including cards used under the card system, and deposit *or withdrawal* slips or tickets, for a period of seven years from the date of making the last entry on the same: Provided, however, That this act shall not be construed to prevent the preservation of photographic film reproductions or photographic or photostatic copies of ledger records of depositors' accounts, in lieu of the original of such ledger records. *Any photographic film reproduction or photographic or photostatic copy of such ledger record of a depositor's account shall be admissible in evidence in any proceeding equally and with the same force and effect as the original record.*

Preservation of
records.

Proviso.

Photographic or
photostatic
copies of records
to be admissible
in evidence the
same as original
records.

Section 2 said act, reenacted and amended.

Penalty for violation.

Said act amended by adding, immediately following section 2 thereof, two new sections 3 and 4.

Adjustment and settlement of depositors' accounts.

Saving clause.

Section 911, act of May 15, 1933, P. L. 624, which section was added by act of July 29, 1941, P. L. 586, saved from repeal.

Section 3. Section 2 of the said act is hereby reenacted and amended to read as follows:

Section 2. An officer or employe of a bank, bank and trust company, trust company, savings bank, [or] private bank, or national banking association, and in the case of a bank, bank and trust company, trust company, [or] savings bank, or national banking association, any director or trustee, who knowingly violates, or knowingly causes to be violated, any provision of [this] section *one hereof*, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to imprisonment for a period of one year, or a fine not exceeding one thousand dollars, or both.

Section 4. The said act is hereby amended by adding, immediately following section 2 thereof, two new sections to read as follows:

Section 3. When a bank, a bank and trust company, a trust company, a savings bank, a private bank, or a national banking association has heretofore or hereafter rendered an account to a depositor, either by furnishing him with a *statement thereof or by writing up the depositor's passbook showing the condition of the depositor's account and by delivering such passbook to such depositor, such account shall, as to an account heretofore rendered, after a period of seven years from the effective date of this act, and as to an account hereafter rendered, after the period of seven years from the date of its rendition, in the event no objection thereto has been theretofore made by the depositor, be deemed finally adjusted, settled, and its correctness conclusively presumed, and such depositor shall thereafter be barred from questioning the correctness of such account for any cause.

Section 4. Nothing contained in this act shall be construed to relieve the depositor from the duty now imposed by law of exercising due diligence in the examination of such account, or of any checks or drafts which may accompany it, when rendered by the bank, bank and trust company, trust company, savings bank, private bank, or national banking association, and of immediate notification thereto upon discovery of any error therein, nor from the legal consequences of neglect of such duty; nor to effect the repeal of section 911 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 624), known as the "Banking Code," which section was added thereto by the act, approved the twenty-ninth day of July, one

* "statement" in original.

thousand nine hundred forty-one (Pamphlet Laws 586), nor to prevent the application thereof to cases governed thereby.

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

Act effective immediately.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE

No. 166

AN ACT

To further amend subsection E of section nine hundred eight of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on powers of corporations authorized to engage in the banking business.

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

Section 1. Subsection E of section nine hundred eight of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual

"Banking Code."

Subsection E of section 908, act of May 15, 1933, P. L. 624, as last amended by act of April 24, 1945, P. L. 234, further amended.