

No. 167

AN ACT

To further amend sections one and two of the act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," authorizing bank holidays in the event of public calamities, and permitting banking institutions, at their option, to engage in banking transactions on certain holidays.

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

Section 1. Sections one and two of the act, approved the thirty-first day of May, one thousand eight hundred ninety-three (Pamphlet Laws 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," as last amended by the act, approved the first day of May, one thousand nine hundred forty-seven (Pamphlet Laws 128), are hereby further amended to read as follows:

Section 1. Be it enacted, &c., That the following days and half days, namely: the first day of January, commonly called New Year's Day, the twelfth day of February, known as Lincoln's Birthday, the twenty-second day of February, known as Washington's Birthday, Good Friday, the thirtieth day of May, known as Memorial Day, the fourteenth day of June, known as Flag Day, the fourth of July, called Independence Day, the first Monday of September, known as Labor Day, the twelfth day of October, known as Columbus Day, the first Tuesday after the first Monday of November, Election Day, the eleventh day of November, known as Armistice Day, the twenty-fifth day of December, known as Christmas Day; and every Saturday, after twelve o'clock noon until twelve o'clock midnight, each of which Saturdays is hereby designated a half holiday; and any day appointed or recommended by the Governor of this State or the President of the United States as a day of thanksgiving or fastings and prayer, or other religious observance; and in the event of a financial crisis in the State or Nation, any day or days appointed by the Governor of this State or the President of the United States as a bank holiday; *and in the event of public calamity in any part of the State through fire, flood, famine, violence, riot, insurrection, or enemy action, any day or days appointed by the Governor of this State as a bank holiday for banking institutions affected by such public calamity*

Banks and Banking.

Sections 1 and 2, act of May 31, 1893, P. L. 188, as last amended by act of May 1, 1947, P. L. 128, further amended.

Legal holidays enumerated.

All such holidays to be treated as Sunday, and as public holidays and half holidays, as regards presenting and protesting negotiable instruments.

Negotiable instruments presentable for acceptance or payment on any of said days shall be deemed to be payable, etc., on next secular or business day.

Exceptions.

Proviso.

Further proviso.

Further proviso.

Further proviso.

shall, for all purposes whatever as regards the presenting for payment or acceptance, and as regards the protesting and giving notice of the dishonor of bills of exchange, checks, drafts, and promissory notes, made after the passage of this act, be treated and considered as the first day of the week, commonly called Sunday, and as public holidays and half holidays; and all such bills, checks, drafts, and notes otherwise presentable for acceptance or payment on any of the said days, shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding such holiday or half holiday; except checks, drafts, bills of exchange, and promissory notes, payable at sight or on demand, which would otherwise be payable on any half holiday Saturday, shall be deemed to be payable at or before twelve o'clock noon of such half holiday: Provided, however, That for the purpose of protesting or otherwise holding liable any party to any bill of exchange, check, draft, or promissory note, and which shall not have been paid before twelve o'clock noon of any Saturday designated a half holiday as aforesaid, a demand for acceptance or payment thereof shall not be made, and notice of protest or dishonor thereof shall not be given, until the next succeeding secular or business day: And provided further, That when any person, firm, corporation or company shall, on any Saturday designated a half holiday, receive for collection any check, bill of exchange, draft, or promissory note, such person, firm, corporation, or company shall not be deemed guilty of any neglect or omission of duty, nor incur any liability, in not presenting for payment or acceptance or collection such check, bill of exchange, draft or promissory note, on that day: And provided further, That, in construing this section, every Saturday designated a half holiday shall, until twelve o'clock noon, be deemed a secular or business day; and the days and half days aforesaid, so designated as holidays and half holidays, shall be considered as public holidays and half holidays for all purposes whatsoever as regards the transaction of business, except that any day or days appointed as a bank holiday shall be regarded as secular or business days for all other purposes than those mentioned in this act: And provided further, That nothing herein contained shall be construed to prevent or invalidate the entry, issuance, service, or execution of any writ, summons, confession of judgment, or other legal process whatever, on any of the holidays or half holidays herein designated as holidays; nor to prevent any banking institution from keeping its doors open or transacting its business, on any Saturday afternoon, if by a vote of its directors it shall elect to do so, unless such Saturday is appointed as a bank holiday under the

provisions of this act: And provided further, That any banking institution may, by a vote of its directors, or in the case of a private bank by action of the private banker or bankers, notice of which shall have been posted in its banking house for not less than fifteen days before the taking effect thereof, observe any Saturday throughout the year as a full holiday with like effect hereunder as though such day had been designated as a full holiday by the provisions of this act.

Section 2. (a) Whenever the first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourteenth day of June, the fourth day of July, the twelfth day of October, the eleventh day of November, or the twenty-fifth day of December, shall any of them occur on Sunday, the following day (Monday) shall be deemed and declared a public holiday. All bills of exchange, checks, drafts, or promissory notes, falling due on any of the Mondays so observed as holidays, shall be due and payable on the next succeeding secular or business day; and all Mondays so observed as holidays shall, for all purposes whatever as regards the presenting for payment or acceptance, and as regards the protesting and giving notice of the dishonor of bills of exchange, checks, drafts, and promissory notes, made after the passage of this act, be treated and considered as if the first day of the week, commonly called Sunday.

(b) Nothing in any law of this Commonwealth shall in any manner whatsoever affect the validity of, or render void or voidable, the payment, certification, or acceptance of a check or other negotiable instrument or any other transaction by a banking institution in this State because done or performed or transacted on any Saturday between twelve o'clock noon and midnight, provided such payment, certification, acceptance or other transaction would be valid if done or performed on or before twelve o'clock on Saturday.

(c) *Nothing in any law of this Commonwealth shall in any manner whatsoever affect the validity of, or render void or voidable the payment, certification, or acceptance of, any bill of exchange, check, draft, promissory note, or other negotiable instrument, or any other transaction by a banking institution in this State, because done or performed or transacted on any of the following legal holidays: the twelfth day of February, the twenty-second day of February, Good Friday, the fourteenth day of June, the twelfth day of October, the first Tuesday after the first Monday of November, or the eleventh day of November, or whenever any of said days shall occur on Sunday, done or performed or transacted on the following day (Monday): Provided, Such payment, certification, acceptance, or other transaction*

Further proviso.

Monday to be observed as holiday when certain holidays fall on Sunday.

Negotiable instruments falling due on such Mondays shall be due and payable on next secular or business day.

All Mondays so observed as holidays shall, for certain purposes, be treated and considered as if Sunday.

Certain banking transactions done or performed during certain hours on Saturday validated.

Certain banking transactions done or performed on certain legal holidays or on Mondays observed as holidays validated.

Proviso.

Further proviso. *would be valid if done or performed on a secular or business day: Provided further, however, That for the purpose of protesting or otherwise holding liable any party to any bill of exchange, check, draft, promissory note, or other negotiable instrument which shall not have been paid on any of said holidays, a demand for acceptance or payment thereof shall not be made, and notice of protest or dishonor thereof shall not be given, until the next succeeding secular or business day. Nothing herein shall be construed to require any banking institution to keep open for the transaction of business on any of said holidays, or to require any banking institution which elects to be open for business on all or any part of any of said holidays, to do or perform any act or transaction on such holiday; but all acts and transactions done or performed on any such holiday shall be at the option of such banking institution.*

Banking institutions permitted, at their option, to engage in banking transactions on certain holidays.

Act effective immediately.

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

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

JOHN S. FINE

No. 168

A SUPPLEMENT

To the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (Pamphlet Laws 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended, to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance, leasing, and