

Cities of second class.

Third paragraph of section 1 of Article III, act of March 7, 1901, as last amended by act of September 26, 1951, P. L. 1528, further amended.

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

Section 1. The third paragraph of section 1 of Article III of the act, approved the seventh day of March, one thousand nine hundred one (Pamphlet Laws 20), entitled "An act for the government of cities of the second class," as last amended by the act, approved the twenty-sixth day of September, one thousand nine hundred fifty-one (Pamphlet Laws 1528), is hereby *further amended to read as follows:

ARTICLE III

DEPARTMENT OF PUBLIC SAFETY

Section 1. * * * * *

Maximum hours of service for policemen.

No [patrolman] *policeman* shall be required to be on duty for more than [eight] *nine* out of any twenty-four consecutive hours, nor for more than [forty-eight] *forty-four* hours in any calendar week, and every *policeman* shall be allowed to have at least *forty-eight consecutive hours off duty in every calendar week*, except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of riot, conflagration, or public celebrations; and in such cases, council shall provide for the payment of extra compensation or time off at the same rate as paid for regular service. The existing salary or compensation of any [patrolman] *policeman* shall not be diminished because of the reduced number of hours of duty prescribed by this amendment.

Exceptions.

Extra compensation or time off.

Saving clause.

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Act effective January 1, 1954.

Section 2. The provisions of this act shall become effective the first day of January, one thousand nine hundred fifty-four.

APPROVED—The 17th day of July, A. D. 1953.

JOHN S. FINE

No. 120

AN ACT

To amend clause (b) and to add clause (i) to section 1302 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and

* "further" omitted in original.

disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing that any number of items, though held for different persons, may be joined by an escheator in one petition in escheat; providing for actions by escheators for depositions, discovery and inspection.

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

"The Fiscal Code."

Section 1. Clause (b) of section 1302 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every *department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," is hereby amended to read as follows:

Clause (b) of section 1302, act of April 9, 1929, P. L. 343, amended.

Section 1302. Powers and Duties of Escheators Appointed by the Department of Revenue.—Escheators

* "department" in original.

appointed by the Department of Revenue, under the provisions of this act, shall exercise the powers and perform the duties heretofore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property, real or personal, including the following:

* * * * *

(b) Whenever he shall have been commissioned by the Department of Revenue of and concerning any property, real or personal, escheated, or supposed to have escheated, to the Commonwealth, he may apply, by petition, to the court having jurisdiction in the premises, to hear and determine whether an escheat has occurred or not. He shall, in his petition, set forth the facts of his appointment, the nature and character of the alleged escheat, and, as far as he conveniently can, the location, character, and amount of property, real and personal, alleged to have escheated, together with the name and address of the person or persons having the same in his or their possession. *The escheator may join in one petition any number of items, though held for different persons. A copy of the petition shall be served, within the time and in the manner provided for the service of a writ of summons or complaint in an action of assumpsit under the provisions of the Pennsylvania Rules of Civil Procedure, upon the person or persons having such property in his or their possession. Such person or persons shall, within twenty days after service of the said petition, file an answer thereto setting forth the name, if known, and last known address of every person having an interest in the property, together with any other facts relative thereto of which the person or persons having such property in his or their possession shall have knowledge.* Thereupon the court shall have power to proceed as heretofore, in cases in which similar petitions have been filed by escheators commissioned by the Auditor General.

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Section 1302, said act, amended by adding, at the end thereof, a new clause (i).

Section 2. Section 1302 of said act is hereby amended by adding, at the end thereof, a new clause to read as follows:

Section 1302. Powers and Duties of Escheators Appointed by the Department of Revenue.—Escheators appointed by the Department of Revenue, under the provisions of this act, shall exercise the powers and perform the duties heretofore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property, real or personal, including the following:

* * * * *

(i) *The escheator may, either before or after filing a petition in escheat, file a petition in the Court of Com-*

mon Pleas of Dauphin County or in the court of common pleas of the county in which the defendant may be served in the manner provided for the service of a writ of summons or complaint in an action of assumpsit for depositions, discovery and inspection, and the procedure upon such petition shall be in accordance with the Pennsylvania Rules of Civil Procedure relating to depositions, discovery and inspection.

Section 3. The provisions of this act shall become effective immediately upon final enactment; and shall apply to all proceedings now pending and to proceedings hereafter instituted.

Act effective immediately.

Applicability.

APPROVED—The 17th day of July, A. D. 1953.

JOHN S. FINE

No. 121

AN ACT

To further amend subsection (f) of section 813 of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting the possession of certain certificates of inspection and approval.

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

Section 1. Subsection (f) of section 813 of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; regis-

"The Vehicle Code."

Subsection (f) of section 813, act of May 1, 1929, P. L. 905, as last amended by act of August 24, 1951, P. L. 1368, further amended.