

feet along said fifteen (15) foot alley to the northeastern corner of the lands of Lena Huss; thence in a southerly direction one hundred fifty (150) feet along a fifteen (15) foot alley and the eastern property line of Lena Huss to the northernly property line of Harry Hess; thence along the same line in a southerly *direction approximately two hundred twenty (220) feet crossing the lands of Harry Hess and David C. Ulmer to the place of beginning, containing approximately three and seven tenths ($3 \frac{7}{10}$) acres and consisting of purparts 5A, 5B and 5C: Purpart 5A being all that rectangular tract of land known and numbered as 225 $\frac{1}{2}$ North George Street owned by Lena Huss in the Borough of Millersville, Lancaster County, Pennsylvania, which is the northern one hundred and fifty (150) feet of Tract No. 5 which lot is 150 feet by 500 feet and contains 75,000 square feet; Purpart 5B being a part of a tract of land owned by Harry Hess and known and numbered as 219-221 North George Street in the Borough of Millersville, Lancaster County, Pennsylvania, being the eighty (80) feet lying between Purparts 5A and 5B hereinabove and hereinafter, respectively, described which lot is 80 feet by 390 feet and contains 31,200 square feet; Purpart 5C being a part of a tract of land owned by David C. Ulmer at the rear of 211 North George Street in the Borough of Millersville, Lancaster County, Pennsylvania being the southern one hundred and forty (140) feet of Tract No. 5 which lot is 140 feet by 390 feet and contains 54,600 square feet.

Section 2. The land shall not be acquired until its title has been approved by the Department of Justice. Approval of title.

Section 3. The sum of ninety-five thousand dollars (\$95,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price and incidental expenses, including the completion of an abstract of title. Appropriation.

Section 4. This act shall take effect immediately. Act effective immediately.

APPROVED—The 15th day of July, A. D. 1957.

GEORGE M. LEADER

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No. 403

AN ACT

Amending the act of June 21, 1939 (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the de-

* "direction" in original.

termination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," making it mandatory that employes submit themselves for physical examinations, making physicians' reports and testimony a part of the record, and further providing for the fees and expenses of such examinations.

The Pennsylvania Occupational Disease Act.

Section 314, act of June 21, 1939, P. L. 566, amended February 28, 1956, P. L. 1095, further amended.

Examination by physician.

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

Section 1. Section 314, act of June 21, 1939 (P. L. 566), known as "The Pennsylvania Occupational Disease Act," amended February 28, 1956 (P. L. 1095), is amended to read:

Section 314. At any time after disability begins, the employe [, if so requested by his employer] must submit himself for examination, at some reasonable time and place, to a physician or physicians legally authorized to practice under the laws of such place, who shall be selected and paid by the employer, *or the Commonwealth, and the report of the examination of the physician, with his testimony, shall be made a part of the record before a claim for disability shall be allowed by the referee or the board.* If the employe shall refuse [, upon the request of the employer,] to submit to the examination by the physician or physicians selected by the employer *or the Commonwealth*, the board [may upon petition of the employer] *shall* order the employe to submit to an examination at a time and place set by it, and by the physician or physicians selected and paid by the employer *or the Commonwealth*, or by a physician or physicians designated by it and paid by the employer *or the Commonwealth*. The board may at any time after such first examination [, upon petition of the employer,] order the employe to submit himself to such further examinations as it shall deem reasonable and necessary, at such times and places and by such physicians as it may designate; and, in such case, the employer *or the Commonwealth* shall pay the fees and expenses of the examining physician or physicians, and the reasonable traveling expenses and loss of wages incurred by the employe in order to submit himself to such examination. The refusal or neglect, without reasonable cause or excuse, of the employe to submit to such examination ordered by the board, either before or after an agreement or award, shall deprive him of the right to compensation, under this article, during the continuance of such refusal or neglect, and the period of such neglect or re-

fusal shall be deducted from the period during which compensation would otherwise be payable.

The employe shall be entitled to have a physician or physicians of his own selection, to be paid by him, participate in any examination [requested by his employer or] ordered by the board.

Section 2. This act shall take effect in thirty days. **Effective date.**

APPROVED—The 15th day of July, A. D. 1957.

GEORGE M. LEADER

No. 404

AN ACT

Amending the act of March 10, 1949 (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," revising the school health program, changing the duties of the Secretary of Health and the Superintendent of Public Instruction relating thereto, and changing the basis for reimbursement therefor.

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

**Public School
Code of 1949.**

Section 1. Article XIV. of the act of March 10, 1949 (Pamphlet Laws 30), known as the "Public School Code of 1949," is repealed.

**Article XIV.,
act of March 10,
1949, P. L. 30,
repealed.**

Section 2. The act is amended by adding, after Article XIII., a new article to read:

**Act of March 10,
1949, P. L. 30,
amended by
adding a new
Article XIV.**

ARTICLE XIV

SCHOOL HEALTH SERVICES

Section 1401. *Definitions.—As used in this article—*

(1) "Children of school age" or "child of school age" means every child attending or who should attend an elementary grade or high school, either public or private, within the Commonwealth and children who are attending a kindergarten which is an integral part of a local school district.

(2) "Teachers" means professional employes, temporary professional employes and substitutes and instructors in public or private schools within the Commonwealth.

(3) "Other employes" means janitors, bus drivers, cooks and other cafeteria help and all others employed at schools.