

L A W S

OF THE

GENERAL ASSEMBLY

OF THE

Commonwealth of Pennsylvania

PASSED AT THE

SESSION OF 1937

IN THE

ONE HUNDRED AND SIXTY-FIRST YEAR OF INDEPENDENCE

TOGETHER WITH

A Proclamation by the Governor, declaring that he has filed certain Bills in the office of the Secretary of the Commonwealth, with his objections thereto

BY AUTHORITY

HARRISBURG, PA

1937

Industry, make such further report as may reasonably be required by it.

Section 2. Any person, firm, or corporation having knowledge of the occurrence of such personal injury or death to an employee, in the course of or resulting from his employment, who shall fail to make report as aforesaid, shall, [be liable to the Commonwealth for a penalty of one hundred dollars to be recovered by action brought by said department] *upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than one hundred dollars (\$100.00), or undergo imprisonment for not more than thirty (30) days, or both, at the discretion of the court.*

Failure of employer to report.

Penalty.

Section 3. Reports made in accordance with this act shall not be evidence against the employer in any proceeding, either under the Workmen's Compensation Law of one thousand nine hundred and [thirteen] *fifteen* or otherwise.

Reports shall not be evidence.

Section 4. No employer who has made the report required by this act shall be required to make any other or further report of such [accident] *injury or death* to any other department of the government of the Commonwealth.

Other reports not required.

Section 5. This act shall not apply to casual employments; nor to [accidents] *injuries* resulting in disability continuing less than [two days] *the day shift or turn in which the injury was received.*

Application of act.

Section 2. This act shall become effective thirty days after the date of its enactment.

When effective.

APPROVED—The 10th day of March, A. D. 1937.

GEORGE H. EARLE

No. 20

AN ACT

To amend section three thousand five hundred and one as amended, and sections three thousand five hundred and forty and three thousand five hundred and eighty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, nine hundred thirty-two), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," vesting the legal title of waterworks in cities heretofore owning the equitable title to such waterworks; providing for the management, operation, and maintenance of such waterworks; and repealing inconsistent general, local, and special laws.

Section 1. Be it enacted, &c., That section three thousand five hundred and one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, nine hundred thirty-two), entitled "An act relating to cities of the third

Section 3501, act of June 23, 1931 (P. L. 932), as amended by act of May 22, 1933 (P. L. 927), further amended.

class; and amending, revising, and consolidating the law relating thereto," as amended by the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, nine hundred twenty-seven), is hereby further amended to read as follows:

Section 3501. Exclusive Right to Furnish Water to City; Frontage Tax.—Each city shall have the exclusive right, at all times, to supply the city with water, and such persons, partnerships, and corporations therein as may desire the same, at such prices, as may be agreed upon; and for that purpose to have, at all times, the unrestricted right, by ordinance, subject to the provisions of existing laws, to make, erect, and maintain all proper works, machinery, buildings, cisterns, reservoirs, pipes, conduits, for the raising, reception, conveyances, and distribution of water; or, in territory not supplied with water, to make contracts with and authorize any person, company, or association so to do and to give such person, company, or association the privilege of furnishing water, as aforesaid, for any length of time not exceeding ten years. Whenever an extension of a supply of water to portions of the city not previously supplied shall be made, it shall be lawful to charge all owners of houses, lots, and buildings on each side of the street a frontage tax, at such rate per foot as council may, by ordinance, fix. This tax shall be collected and recovered in the manner provided by law for the recovery of municipal claims. [The provisions of this section shall not apply to any city wherein the title to the waterworks therein located is in the name of the commissioners of waterworks.] *The legal title to all waterworks heretofore vested in any city by equitable title shall, after the effective date of this act, be vested in such city. Said waterworks shall be operated, maintained, and managed in the same manner and subject to the same provisions as any waterworks, owned or acquired by cities.*

Section 2. That sections three thousand five hundred and forty, and three thousand five hundred and eighty of said act are hereby amended to read as follows:

Section 3540. All cities wherein the title to the waterworks therein located is *or shall hereafter be* in the name of the city [and the commissioners of waterworks of any city wherein the title to the waterworks is in the name of the commissioners of waterworks] may extend the water pipes and improvements of any such waterworks, beyond the bounds of the cities wherein they are located, into the county and municipalities of the county in the vicinity of such cities; and furnish water to any and all corporations, institutions, persons, and municipalities in the counties in which said cities are located, in accordance with law and the rules and regulations of the Public Service Commission. This section does not authorize

Sections 3540
and 3580 of
said act,
amended.

a city to extend water-pipes or supply water in territory, outside the boundaries of such cities, which territory is being supplied with water by a private company.

Section 3580. Creation of Water and Lighting Department.—Any city which now has *or which may hereafter have* the title to any water, gas, or electric light works, by conveyance to the same *or by operation of law* in its corporate name, or which may hereafter erect or purchase water, gas, or electric light works, under the provisions of this act, may create a department to be called the water and lighting department, and, for the organization and government of the same, the council may divide the city into three districts for the election of a board of commissioners, which districts shall be numbered one, two, and three; one commissioner to be chosen from each respective district, of which he shall be a resident at the time of his election, and no member of council or person holding any city office shall be eligible as a member of said board.

Section 3. All acts or parts of acts, general, local or special, inconsistent with the provisions of this act are hereby repealed.

Repealing section.

APPROVED—The 10th day of March, A. D. 1937.

GEORGE H. EARLE

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No. 21

AN ACT

To protect miners in the bituminous coal regions of this Commonwealth from fraudulent deprivation of wages; providing standard weights and measurements for coal mined, and prohibiting the use of other standards; providing methods for the ascertainment of proper weights and measurements through checkweighmen and checkmeasurers elected by the miners; imposing duties and liabilities upon operators; and imposing penalties.

Section 1. Be it enacted, &c., That any miner employed by an individual, firm or corporation for the purpose of mining bituminous coal, shall be entitled to receive from his employer, and failing to receive, then to collect by due process of law, at such rates as may have been agreed upon between the employer and the employe, full and exact wages accruing to him for the mining of all sizes of merchantable coal so mined by him, whether the same shall exist in the form of nut or lump coal. In the adjudication of such wages eighty pounds shall be deemed one bushel, and two thousand pounds net shall be deemed one ton of coal.

Miner entitled to receive from employer full and exact wages.

Section 2. At every bituminous coal mine, where coal is mined by measurement, all cars filled by miners and their laborers shall be uniform in capacity at each mine.

Coal cars to be uniform in capacity.