

pay a fine of not more than five hundred dollars (\$500), or to undergo an imprisonment of not more than one year, or both, at the discretion of the court. Penalty.

Section 3. This act shall take effect January nineteenth, one thousand nine hundred and thirty-four. Effective date.

Section 4. All acts or parts of acts inconsistent herewith be and the same are hereby repealed. Repeal.

APPROVED—The 23d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 309.

AN ACT

To prohibit the employment in any factory or cannery, or in berry, fruit and vegetable raising and harvesting, in this Commonwealth, of any child under sixteen years of age, residing in another state, during the time when the laws of the state of such child's residence require his attendance at school, to regulate the conditions of such employment of such child during the time when the laws of the state of such child's residence do not require his attendance at school, to prescribe the duties of the employer of such child, to provide for the issuance of school requirement certificates for children resident in this Commonwealth desiring such employment in other states; providing for the enforcement of this act by certain officers, and defining the procedure in prosecutions thereunder; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith.

Section 1. Be it enacted, &c., That it shall be unlawful for any child under sixteen years of age and not a resident of this Commonwealth to be employed or suffered or permitted to work in this Commonwealth in any factory or cannery, or in berry, fruit and vegetable raising and harvesting, during the time in which the laws of the state of his residence require his attendance at school: Provided, That in case of the lawful employment of such nonresident child during the summer vacation period, the employer may have fifteen days in which to discontinue the child's employment after the date at which the laws of the state of the child's residence require his return to school: And provided further, That this act shall not apply to children between the ages of fourteen and sixteen years who are qualified for such employment under the laws of the state of their residence, and who shall have complied with all the requirements of this act. Child labor.
Employment in
cannery or fruit
industry.

Proviso.

Proviso.

Section 2. Before a child under sixteen years of age, who is not a resident of this State, may be employed, permitted or suffered to work at any time in this State in any factory or cannery, or in any of the other employments specified in section one of this act, his employer School require-
ment certificate.

Contents.	shall have received a school requirement certificate, issued by the principal or superintendent of the school attended by such child or by the officer empowered to issue employment certificates for the school district of which such child is a resident, certifying the child's age, as recorded in the school records of the district of his residence or as established by such proofs as are required by law for the issuance of employment certificates, and the exact periods during which such child is required by the laws of his own state to attend school.
Certificate to be filed.	The employer shall in every case keep on file during the child's employment, accessible for inspection by any attendance officer or labor inspector of this State, the school requirement certificate of every such nonresident child employed by him.
Receipt and return of certificate.	It shall be the duty of every employer of such nonresident child to acknowledge, in writing, receipt of every school requirement certificate within three days after it has been received, and to return the certificate to the person who issued it within three days after termination of the child's employment by him.
Duty to issue certificate.	It shall be the duty of every school principal of this State, and every person authorized by law to issue employment certificates, to execute, on request of any child under his jurisdiction seeking employment in another state or of the child's parent or guardian, a school requirement certificate, such as described in the first paragraph of this section, and send such certificate by mail to the proposed employer. There shall be no charge for this service other than the cost of postage.
Violations of act.	Section 3. Any person, or any agent or manager for any person, who shall violate any of the provisions of this act, or who shall compel or permit any minor to violate any of the provisions of this act, or who shall delay or hinder any officer in the performance of his duty in the enforcement of this act, shall be sentenced, upon conviction thereof, to pay a fine of not less than ten dollars (\$10) nor more than two hundred dollars (\$200), or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court.
Penalty.	Section 4. It shall be the duty of the attendance officers or other responsible school officials of the various school districts of this Commonwealth to enforce the provisions of this act. Prosecutions for violation of this act may be instituted by any attendance officer upon oath or affirmation: Provided, however, That no prosecution shall be brought without seven days' written notice of the violation having been given the employer. Deposit of such notice in the mail, properly stamped and addressed, shall be sufficient. Repetition of such notice shall not be required in case of a continuance or recurrence of such violation. All prosecutions for violations
Enforcement of act.	
Proviso.	
Notice of violation.	

of this act shall be in the form of summary criminal proceedings instituted before a magistrate, alderman, or justice of the peace within the county wherein the offense was committed. Upon conviction after a hearing, the sentence provided in this act shall be imposed. All fines collected under this act shall be paid into the treasury of the school district wherein the offense was committed for the use of the school district.

Summary proceedings.

Disposition of fines.

Section 5. Whenever the Superintendent of Public Instruction cannot secure effective enforcement of the provisions of this act in any school district, as provided in section four of this act, he is hereby authorized and required to secure such enforcement by appointing an attendance officer or attendance officers in such district. The salary and expense of such attendance officer or officers shall be a charge against said district where they are actually employed, and shall be deducted from any State moneys apportioned to said district for school purposes.

Superintendent authorized to appoint attendance officer.

Salary.

Section 6. All acts or parts of acts inconsistent herewith are hereby repealed.

Repeal.

Section 7. This act shall take effect upon its passage and approval.

When effective.

APPROVED—The 23d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 310

AN ACT

Defining the rights of persons accused of contempt of court arising out of violation of injunctions; limiting eligibility of judges in such cases; and prescribing procedure and penalties.

Section 1. Be it enacted, &c., That in all cases where a person shall be charged with indirect criminal contempt for violation of a restraining order or injunction issued by a court or judge or judges thereof, the accused shall enjoy—

Criminal contempt.

Injunctions.

Rights of accused.

(a) The rights as to admission to bail that are accorded to persons accused of crime;

Admission to bail.

(b) The right to be notified of the accusation and a reasonable time to make a defense, provided the alleged contempt is not committed in the immediate view or presence of the court;

Notice of accusation.

(c) Upon demand, the right to a speedy and public trial by an impartial jury of the judicial district wherein the contempt shall have been committed, provided that this requirement shall not be construed to apply to contempts committed in the presence of the court or so near

Speedy and public trial.