

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 All acts or parts of acts inconsistent herewith are hereby repealed.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

thereto as to interfere directly with the administration of justice, or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court; and

Demand for retirement of judge.

(d) The right to file with the court a demand for the retirement of the judge sitting in the proceeding, if the contempt arises from an attack upon the character or conduct of such judge, and if the attack occurred otherwise than in open court. Upon the filing of any such demand, the judge shall thereupon proceed no further but another judge shall be designated by the presiding judge of said court. The demand shall be filed prior to the hearing in the contempt proceeding.

Punishment.

Section 2. Punishment for a contempt specified in section one may be by fine not exceeding one hundred dollars, or by imprisonment not exceeding fifteen days in the jail of the county where the court is sitting, or both, in the discretion of the court. Where a person is committed to jail for the nonpayment of such a fine, he must be discharged at the expiration of fifteen days, but where he is also committed for a definite time, the fifteen days must be computed from the expiration of the definite time.

Commitment for nonpayment of fine.

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

GIFFORD PINCHOT

No. 311

AN ACT

Defining labor disputes; and prescribing the procedure by which, and the conditions under which, injunctions may be granted in such disputes.

Labor disputes.

Injunctions.

Definitions.

Section 1. Be it enacted, &c., That, when used in this act, the following words and phrases, unless the context clearly shows that a different meaning is intended, shall have the respective meanings set forth in this section:

(a) A case shall be held to involve or to grow out of a labor dispute when the case involves persons who are engaged in a single industry, trade, craft, or occupation, or who are employes of one employer, or who are members of the same or an affiliated organization of employers or employes, whether such dispute is (1) between one or more employers or associations of employers and one or more employes or associations of employes, (2) between one or more employers or associations of employers and one or more employes or associations of employes, or (3) between one or more employes or associations of employes and one or more employes or asso-