

against damage from wild deer, and making an appropriation," as amended, not exceeding, however, the sum of ten thousand dollars (\$10,000) during any one fiscal year; (m) for the purpose of carrying into effect the provisions of the act, approved the second day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, four hundred and ninety-two), entitled "An act providing for the payment of certain claims for damages done to live stock, poultry, or bees, by bear; providing a method for the ascertainment of such damage; and making an appropriation," not exceeding however the sum of three thousand dollars (\$3,000) during any one fiscal year; and (n) for the payment of any contingent, incidental, or other expenses of any kind or description reasonably necessary in carrying on the work of the board, including the actual cost of moving household effects of employes continuously in the service for a period exceeding one year when ordered by the board to change their headquarters and place of residence to a point more than ten miles distant from the former headquarters.

The sum of not less than one hundred thousand dollars (\$100,000), or so much thereof as can be used judiciously for that purpose, shall be expended each fiscal year for the purchase or propagation of game for stocking purposes, the distribution of game, and to supply feed for game, including all expenses in connection therewith.

Annual expenditure for propagation of game.

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately, and are hereby specifically appropriated to the board for the purposes herein specified.

Funds available immediately.

The sum of seventy-five cents from each resident hunter's license fee, being the increase in fees provided by this amendment, shall be used exclusively for the creation, acquisition by purchase, lease, or otherwise, and the maintenance of public hunting grounds and game refuges, and the purchase of outstanding timber and mineral rights, on the lands so acquired, or the acquisition of water rights on adjoining lands, whenever the board deems such acquisition desirable.

Additional fee to be used in creation of game refuges.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER

No. 412

AN ACT

Authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act.

Section 1. Be it enacted, &c., That the Department of Forests and Waters is hereby authorized to grow forest

Department of Forests and Waters.

Forest tree seedlings.

Proceeds of sale.

Agreement with purchaser.

Contents.

Trees not to be sold for ornamental purposes.

Exceptions.

Department of Agriculture not to issue permit certificate of inspection to persons about to violate this act.

Effective date.

Act of April 21, 1915 (P. L. 155), and other inconsistent acts, repealed.

tree seedlings and transplants, and to sell the same, at a sum not to exceed the average cost of production and shipping, to persons, partnerships, and corporations desiring to plant them. The moneys collected by the department, from the sale and shipping of trees under this act, shall be paid into the State Treasury for the use of the Commonwealth.

Section 2. Before the department shall sell any trees to any person, partnership, or corporation, it shall require such person, partnership, or corporation to enter into an agreement or contract with the department, in which such person, partnership, or corporation shall agree: (a) That all forest tree seedlings and transplants so purchased shall be planted in Pennsylvania for watershed protection or for wood products; (b) That the trees will not be sold by the purchaser for removal from the land until they become large enough for use as wood products; (c) That a report on the planting will be furnished by the planter when requested by the department; (d) That the planted area will be protected as far as possible from fire, grazing, and trespassing; (e) That if such trees are sold or offered for sale for ornamental purposes, the person, partnership, or corporation shall become liable to the Commonwealth for the payment of a penalty equal to three times the sale value of the trees sold; and (f) Such other conditions and stipulations as the Department of Forests and Waters may require.

Section 3. No trees shall be sold by the department, under the provisions of this act, that are to be planted for windbreaks, hedges, table trees, potted trees, or for shade or ornamental use.

Section 4. Nothing contained in this act shall be construed to prohibit the Department of Forests and Waters from selling or from growing seedlings or transplants to be planted for shade or ornamental purposes on State or Federal lands, public school grounds, or along the State highways.

Section 5. It shall be unlawful for the Department of Agriculture to grant a permit certificate of inspection under section six, paragraph b, of the act approved the tenth day of March, one thousand nine hundred and twenty-seven entitled "An act relating to the protection of agriculture and horticulture from plant pests, and amending, revising, consolidating, and changing the law relating thereto; defining the powers and duties of the Department of Agriculture relating thereto; providing penalties; and repealing present laws," to landowners who are about to sell or remove unlawfully trees originally supplied from the State nurseries for future timber.

Section 6. This act shall become effective on the first day of June, one thousand nine hundred and twenty-seven.

Section 7. That the act, approved the twenty-first day of April, one thousand nine hundred and fifteen (Pamphlet Laws, one hundred fifty-five), entitled "An act authorizing

the Department of Forestry to grow and distribute young forest trees, and restricting their use after distribution," and all other acts or parts of acts inconsistent herewith are hereby repealed.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER

No. 413

AN ACT

Fixing the pay of election officers and clerks appointed by the inspectors, except in cities of the first class and counties of the second class.

Section 1. Be it enacted, &c., That the minimum pay of all judges of election, inspectors of election, and clerks, appointed by inspectors, except in cities of the first class and counties of the second class, is hereby fixed at five dollars per day. In any such election district, where more than one hundred votes are cast at any election, the judge and each inspector and clerk shall be paid one dollar, for each one hundred ballots, or fractional part thereof, cast after the first one hundred ballots, in addition to the minimum pay herein provided for: Provided, That ten dollars per day shall be the maximum pay allowed under this act.

Elections.

Pay of appointed election officers and clerks.

Proviso.

Section 2. The act, approved the fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, six hundred eighty-four), entitled "An act fixing the pay of election officers," and its amendment approved the eighth day of May, one thousand nine hundred and nineteen (Pamphlet Laws, one hundred fifteen), entitled "An act to amend an act, approved the fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, six hundred eighty-four), entitled 'An act fixing the pay of election officers,' and also clerks appointed by the inspectors," be and the same are hereby repealed.

Repeal.

Act of July 5, 1917 (P. L. 684), and its amendment of May 8, 1919 (P. L. 115).

All other acts and parts of acts inconsistent herewith are hereby repealed.

Other inconsistent acts.

APPROVED—The 5th day of May, A. D. 1927.

JOHN S. FISHER