

Act not to abrogate title or right of State in any stream bed.

Not to abrogate power of department of wharves, docks and ferries of cities of the first class.

Rentals to be paid into State Treasury.

Penal provision.

When effective.

Section 9. Nothing in this act shall be construed to abrogate in any way whatsoever any title, right or interest the Commonwealth may have in any part of the bed of any stream, lake or other body of water, wholly or partly within or forming part of the boundary of this Commonwealth, which was encroached upon by any person prior to the effective date of this act, and which is now used and occupied by such person. Nothing in this act contained shall be construed to vest in the said board any power or authority heretofore vested by law in the department of wharves, docks and ferries of cities of the first class, or in the Board of Commissioners of Navigation for the river Delaware and its navigable tributaries, except in so far as they relate to the leasing and occupancy of State-owned land, as provided in this act.

Section 10. All rentals and other moneys collected or received by the board under the provisions of this act shall be paid into the State Treasury, through the Department of Revenue, and credited to the General Fund.

Section 11. Any person who shall hereafter encroach upon or occupy or continue to occupy any land previously encroached upon which forms part of the bed of any stream, lake or other body of water, wholly or partly within or forming part of the boundary of this Commonwealth, and which is owned by the Commonwealth, without obtaining a lease for the use and occupancy of such land as required by this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than five hundred dollars (\$500) or not more than one thousand dollars (\$1,000), or to undergo imprisonment for a term of one year, or both, in the discretion of the court.

Section 12. This act shall become effective immediately upon its final enactment.

APPROVED—The 14th day of April, A. D. 1937.

GEORGE H. EARLE

No. 82

AN ACT

To amend sections one, two, and four, section five as amended, and section seven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred thirty-seven), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; imposing certain duties on the Department of Health of this Commonwealth and on the local health au-

thorities; and providing penalties," by bringing proprietors within the provisions of the act; requiring effective cleaning agents, and proper toilet facilities.

Section 1. Be it enacted, &c., That section one of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred thirty-seven), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," is hereby amended to read as follows:

Section 1. Be it enacted, &c., That the words "public eating or drinking place" shall mean any place within this Commonwealth where food or drink is served to, or provided for, the public, with or without charge, including, among others, hotels, restaurants, cafes, cafeterias, boarding houses, ice-cream saloons, soda-water or soft drink fountains, and bars or taverns.

The word "proprietor" shall mean any person, [firm] *partnership*, *association* or corporation conducting or operating, within this Commonwealth, a public eating or drinking place.

The word "employee" shall include any cook, waiter, kitchen help, chambermaid, house servant, or other employe of any kind, of or in a public eating or drinking place, who, in any manner whatever, handles or comes in contact with, any food or drink served to or provided for the public, *and the proprietor or any member of the proprietor's family who handles said food or drink.*

The masculine pronoun shall be interpreted to include the feminine and neuter pronouns.

Section 2. That section two of said act is hereby amended to read as follows:

Section 2. No proprietor shall hereafter [employ] *work*, or keep in his employ any employe who is suffering from trachoma, active tuberculosis of the lungs, open skin tuberculosis, *infectious or contagious* syphilis, gonorrhoea, open external cancer, or barber's itch, *or other infectious or contagious disease*; and any such employe, who at the time of the passage of this act, is suffering from any of the above named diseases, shall at once be excluded from such employment in such public eating or drinking place.

Section 3. That section four of said act is hereby amended to read as follows:

Section 4. No proprietor shall *work or permit any employe to work in the public eating or drinking place conducted or operated by him, if such employe or employer shall have had typhoid fever, for a period of sixty*

Health.

Section 1, act of April 27, 1927 (P. L. 437), further amended.

Public eating and drinking places.

"Proprietor" defined.

"Employee" defined.

Section 2, amended.

Persons suffering from certain diseases not to work.

Section 4, amended.

Carriers of typhoid fever.

(60) days after the attending physician has certified that he has completely recovered, or been exposed to typhoid fever, for a period of thirty (30) days after such exposure, or is a carrier of typhoid fever, after a notice that such employe is such carrier has been served, in writing, upon him by a physician, or the public health authorities.

Section 5, as amended by act of May 15, 1935 (P. L. 165), further amended.

Section 4. That section five of said act as amended by the act, approved the fifteenth day of May, one thousand nine hundred and thirty-five (Pamphlet Laws, one hundred sixty-five), is hereby further amended to read as follows:

Use of towels, napkins, dishes or utensils.

Section 5. No proprietor shall furnish any towel or napkin to any patron of a public eating or drinking place, unless such towel or napkin be laundered or discarded after each individual use thereof, nor shall there be furnished to the patrons of such eating or drinking places, any dish, glass, or other receptacle, or utensil used in eating or drinking, which has not been thoroughly cleansed with hot water and soap, or other suitable and effective cleansing re-agent since it was used by another individual, or destroyed or discarded after each individual use.

Section 7, amended.

Section 5. That section seven of said act is hereby amended to read as follows:

Toilets, lavatories, etc.

Section 7. *The proprietor shall maintain at least one toilet or outside privy for each sex, and all toilets and water-closets, lavatories, tubs, sinks, and drains, used in, or in connection with, any public eating or drinking place shall at all times be kept in a clean and sanitary condition.*

APPROVED—The 14th day of April, A. D. 1937.

GEORGE H. EARLE

No. 83

AN ACT

Abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Providing for the abatement of tax penalties.

Section 1. Be it enacted, &c., That all penalties and interest imposed on delinquent county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes, for the tax year one thousand nine hundred and thirty-four and all previous years, and all penalties imposed on such taxes for the tax years one