

No. 367

AN ACT

Authorizing the capture or destruction of unprotected birds in any city or borough in certain cases.

Cities and Boroughs.

Capture and destruction of birds in certain cases authorized.

Inconsistent acts repealed.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Whenever the department or board of public health of any city or borough has determined that the presence of unprotected birds upon the streets, parks, buildings or other public places in such cities or boroughs is detrimental to public health, such birds may be captured or destroyed by such department or board.

Section 2. All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 368

AN ACT

To amend section 733 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for an alternate procedure in desertion and nonsupport cases.

"The Penal Code."

Section 733, act of June 24, 1939, P. L. 872, amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 733 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," is hereby amended to read as follows:

Section 733. Desertion and Nonsupport.—If any husband, or father, being within the limits of this Commonwealth, separates himself from his wife or from his children, or from wife and children, without reasonable cause, or neglects to maintain his wife or children, (1) *his wife or children may file a petition, prepared by the district attorney and joined in and consented to by the husband or father, in the court of quarter sessions of the county in which the wife or children reside or in the county wherein the desertion or failure to maintain took place, setting forth the facts relating to the separation from or neglect to maintain his wife or children, or both, whereupon the court, or any judge thereof in chambers, shall enter an order fixing a time and place for hearing; or* (2) any magistrate, upon information made before him under oath or affirmation, by his wife or children, or either of them, or by any person, may