

a Federal employe, not taxable under the provision of this clause, is disfranchised from voting because he cannot be lawfully assessed for a county or State tax, it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes, in the manner provided by this act for such assessments. The provisions of this clause shall not apply to counties of the second and third class, or to any other county, the county commissioners of which shall by resolution determine not to levy a tax on trades, occupations, professions and persons who follow no occupation or calling, nor shall the provisions of this clause apply to cities of the second and second A class or to school districts.

(c) All other things and persons now taxable by the laws of this Commonwealth for county, city and school purposes.

Section 2. It is hereby declared to be the legislative intent that, if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional all or any part, sentence or clause of any of the provisos of section 1 hereof enacted by this act, the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein. It is hereby declared as the intent of the Legislature that every other part, sentence or clause of this act would have been enacted had such unconstitutional provisions not been included herein.

**Effective date.**

Section 3. This act shall take effect immediately.

APPROVED—The 16th day of July, A. D. 1957.

GEORGE M. LEADER

No. 411

AN ACT

To define and prohibit unauthorized interception, divulgence or use of telephone and telegraph communications; providing criminal penalties and civil damages, including attorneys' fees, for the violation thereof; and limiting the admissibility of evidence.

**Telephone and telegraph communications.**

**Interception of communication without consent prohibited.**

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

Section 1. No person shall intercept a communication by telephone or telegraph without permission of the parties to such communication. No person shall install or employ any device for overhearing or recording communications passing through a telephone or telegraph line with intent to intercept a communication in violation of this act. No person shall divulge or use the

contents or purport of a communication intercepted in violation of this act. Whoever wilfully violates or aids, abets or procures a violation of this act is guilty of a misdemeanor, and shall be punishable by imprisonment of not more than one year, or by fine of not more than five thousand dollars (\$5000), or both, and shall be liable to any person whose communication is unlawfully intercepted or divulged for treble the amount of any damage resulting from such unlawful interception, divulgence or use, but in no event less than one hundred dollars (\$100) and a reasonable attorney's fee. The term "person" includes natural persons, business associations, partnerships, corporations, or other legal entities, and persons acting or purporting to act for, or in behalf of, any government or subdivision thereof, whether Federal, State or local. The term "divulge" includes divulgence to a fellow employe or official in government or private enterprise or in a judicial, administrative, legislative or other proceeding. Except as proof in a suit or prosecution for a violation of this act, no evidence obtained as a result of an unlawful interception shall be admissible in any such proceeding. Nothing in this act shall be interpreted to apply to acts done by personnel of any telephone or telegraph carrier in the performance of their duties in connection with the construction, maintenance or operation of a telephone or telegraph system.

**Violation, penalty and civil damage.**

**Definitions.**

**Admissibility in evidence.**

**Construction.**

Section 2. This act shall take effect in thirty days.

**Effective date.**

APPROVED—The 16th day of July, A. D. 1957.

GEORGE M. LEADER

No. 412

AN ACT

Providing for the construction, erection and maintenance of roadside rests by counties and townships adjacent to county and township roads; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon counties and townships, and \* authorizing rules and regulations, and providing penalties for violations thereof.

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

**Roadside rests.**

Section 1. In addition to roadside rests provided for by any other act of Assembly, the board of county commissioners of each county and each board of township commissioners and each board of township supervisors are hereby authorized and empowered to construct,

**Roadside rests authorized to be created by county commissioners, and township commissioners or supervisors.**

\* "the" in original.