

*any obscene literature, book, magazine, pamphlet, newspaper, storypaper, paper, writing, drawing, photograph, figure or image, or any written or printed matter of an obscene nature, or any article or instrument of an obscene nature, or whoever designs, copies, draws, photographs, prints, utters, publishes or in any manner manufactures or prepares any such book, picture, drawing, magazine, pamphlet, newspaper, storypaper, paper, writing, figure, image, matter, article or thing, or whoever writes, prints, publishes or utters or causes to be printed, published or uttered, any advertisement or notice of any kind giving information, directly or indirectly, stating or purporting to state where, how, of whom, or by what means any obscene book, picture, writing, paper, figure, image, matter, article or thing named in this section can be purchased, obtained or had, or whoever hires, employs, uses or permits any minor or child to do or assist in doing any act or thing mentioned in this section, is guilty of a felony, and upon conviction, shall be sentenced to imprisonment not exceeding two (2) years, or to pay a fine not exceeding two thousand dollars (\$2000), or both.*

*“Obscene,” as used in this section, means that which, to the average person applying contemporary community standards, has as its dominant theme, taken as a whole, an appeal to prurient interest.*

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 20th day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 453

AN ACT

Amending the act of May 28, 1915 (P. L. 596), entitled “An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,” providing for additional payments to certain pensioned or retired employes.

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

Cities of second class—pension fund.

Section 1. Subsection (c) of section 4, act of May 28, 1915 (P. L. 596), entitled “An act requiring cities of the second class to establish a pension fund for employes of said cities; and regulating the administration and the payment of such pensions,” amended May 15, 1957 (P. L. 142), is amended to read:

Subsection (c), section 4, act of May 28, 1915, P. L. 596, amended May 15, 1957, P. L. 142, further amended.

## Section 4. \* \* \*

Computation of pension payment based on certain salaries to employes who are members of fund June 1, 1951, and who shall retire or be pensioned prior to July 1, 1955.

(c) Any employe who is a member of the pension fund on the first day of June, one thousand nine hundred fifty-one, and who shall retire or be pensioned prior to the first day of July, one thousand nine hundred fifty-five, and whose average salary for the last five years of his or her employment by the city has been two hundred dollars a month or more but less than two hundred and fifty dollars per month, shall have his or her pension computed on fifty-five per centum of his or her average salary during the aforesaid five-year period of time and shall be paid an additional sum of ten dollars per month. Any employe who is a member of the pension fund on the first day of June, one thousand nine hundred fifty-one, and who shall retire or be pensioned prior to the first day of July, one thousand nine hundred fifty-five, whose average salary during the last five years of his or her employment with the said city has been two hundred and fifty dollars per month or more, shall receive a pension of not less than one hundred forty-seven dollars and fifty cents per month *and shall be paid an additional sum of ten dollars per month.* Any employe who is a member of the pension fund on the first day of July, one thousand nine hundred fifty-five, and who shall retire or be pensioned then or thereafter, and whose average salary for the last five years of his or her employment by the said city has been less than two hundred and fifty dollars per month, shall have his or her pension computed on sixty per centum of his or her average salary during the aforesaid five-year period of time, but in no event shall he or she receive a pension of less than one hundred thirty dollars per month. Any employe who is a member of the pension fund on the first day of July, one thousand nine hundred fifty-five, and who shall retire or be pensioned then or thereafter, and whose average salary for the last five years of his or her employment by the said city has been two hundred and fifty dollars or more per month, shall have his or her pension computed on fifty-five per centum of his or her average salary during the aforesaid five-year period of time. Any employe who is a member of the pension fund on the first day of July, one thousand nine hundred fifty-five, and who shall retire and be pensioned then or thereafter, and whose average salary for the last five years of his or her employment with the said city has been two hundred and fifty dollars or more per month, shall receive a pension of not less than one hundred and fifty-one dollars and twenty-five cents per month. In the event of the death of any person receiving a pension under this act, there shall be paid to such person or persons as he or she shall have designated in writing and filed with the board of pensions as his or her beneficiary or to his or her estate a lump sum

To employes who are members of fund July 1, 1955, and who shall retire or be pensioned then or thereafter.

Persons entitled to receive payments upon death of pensioner.

representing the difference, if any, between the total contributions paid into the pension fund by him or her as an employe and the total pension payments received by him or her during his or her lifetime, but such lump sum shall be paid only when such total contributions exceed the total pension payments made.

APPROVED—The 21st day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 454

AN ACT

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

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

Section 1. Section 702, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481), is amended by adding, after clause XLI., a new clause to read:

The Second Class Township Code.

Section 702, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481, amended by adding a new clause XLI.I.

Section 702. Supervisors to Exercise Powers.—The corporate powers of townships of the second class shall be exercised by the township supervisors. Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred, or where no specific fund is designated from which such expenditures shall be made, appropriations for such expenditures shall be made only from the general township fund. In addition to the duties imposed upon them by section 516 hereof, they shall have power—

\* \* \* \* \*

*\*XLI.I. Codification of Ordinances.—Whenever any township shall have caused to be prepared a consolidation or codification of the general body of township ordinances or the ordinances on a particular subject, the township supervisors may adopt such consolidation or codification as an ordinance of the township, in the same manner that is now prescribed by law for the adoption of township ordinances, except it shall not be necessary to publish the entire text thereof, but it shall be sufficient in any such case to publish or advertise the table of contents thereof in the manner provided by law for the publication of ordinances. Such publication shall, in addition*

\* "XLI.I" in original.