

charges; and the said amounts collected shall be paid into the city or borough treasury for the use and maintenance of the fire departments.

Payment to insure for use of fire departments.

Section 2. All acts or parts of acts inconsistent with this act be, and the same are hereby, repealed.

Repeal.

APPROVED—The 25th day of May, A. D. 1921.

WM. C. SPROUL.

No. 410.

AN ACT

To amend sections one, two, three, four, five, and six, and repealing sections seven and eight, of an act, approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred and sixty-nine), entitled "An act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation, and prostitution to be nuisances; providing a method of abating same; establishing a method of procedure against those who use said buildings or parts for such purposes; and providing penalties for violations of this act."

Section 1. Be it enacted, &c., That sections one, two, three, four, five, and six of an act, approved the twenty-sixth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand three hundred and sixty-nine), entitled "An act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation, and prostitution to be nuisances; providing a method of abating same; establishing a method of procedure against those who use said buildings or parts for such purposes; and providing penalties for violations of this act," which reads as follows:—

Buildings used for fornication, etc.

Act of July 26, 1913 (P. L. 1369), amended.

"Section 1. Be it enacted, &c., That any building, or part of a building, used for purposes of fornication, lewdness, assignation, or prostitution shall be a nuisance.

Section 1, cited for amendment.

"Section 2. Any person knowing, or having reason to believe, that any building, or part of a building, is so used may, in writing, notify the owner and agent of the owner that such building, or part of a building, is so used. A copy of said notice shall be served on the person using said building, or part thereof, as aforesaid. Such notification may be served personally or by registered mail. Any such agent shall be guilty of a misdemeanor who shall receive such notification and who shall not, within twenty-four hours, either deliver the same to the owner personally, or mail the same to the owner by registered mail, provided the address of the owner be known to the agent. If such nuisance be not abated within one week after the service of such notice, as aforesaid, the court of common pleas of the county, on the petition of the district attorney or of any citizen of the county, may, after hearing, grant a

Section 2, cited for amendment.

preliminary injunction, directed to the owner of such building and to the person so using the same, restraining such owner and such person from using or permitting such building to be used as aforesaid.

Section 3, cited
for amendment.

“Section 3. Service of such injunction shall be made personally upon the owner, *and on such person if they can be found in the county.* If *they* cannot be so found, a copy thereof shall be delivered to any adult residing in said building, and upon the agent, if any, of the owner. If no such adult be found, and service cannot be had upon such agent, if any, then service shall be made as the court shall direct. *If any person other than such owner shall be served with any such notice of injunction, and shall not within twenty-four hours thereafter deliver the same to said owner, or mail it to said owner by registered mail, such person shall be guilty of a misdemeanor,* provided the address of the owner be known by the person served.

Section 4, cited
for amendment.

“Section 4. If, *after consideration,* the court shall find that the building, or part thereof, was used as aforesaid, the injunction shall be made a perpetual injunction, restraining the owner, his heirs, and assigns or successors, and the person or persons using or occupying the said building, forever, from using such building, or any part thereof, as aforesaid, or permitting the same to be done, and restraining said person from using said building or any part thereof, or from using any other building or part thereof in the manner aforesaid.

Section 5, cited
for amendment.

“Section 5. Any owner of such building, or any agent of such owner, who, after such injunction be made permanent, shall use such building, or any part thereof, as aforesaid, or knowingly permit the same to be so used, shall be *guilty of a misdemeanor.*

Section 6, cited
for amendment.

“Section 6. Any person using said building, or part thereof, as aforesaid, and enjoined with such owner, as aforesaid, who shall use said building, or part thereof, or any other building, or part thereof, in violation of such injunction, shall be *guilty of a misdemeanor,*” are hereby amended to read as follows:—

Nuisance.

Section 1. Be it enacted, &c., That any building, or part of a building, used for *the purpose* of fornication, lewdness, assignation, or prostitution shall be a nuisance.

Notification to
owner of un-
lawful use.

Section 2. Any person knowing, or having reason to believe, that any building, or part of building, is so used, may, in writing, notify the owner and agent of the owner that such building, or part of building, is so used. A copy of said notice shall be served on the person using said building, or part thereof, as aforesaid. Such notification may be served personally or by registered mail. Any such agent who shall receive such notification *must,* within twenty-four hours, either deliver

Service of
notice.

Duty of agent
who receives
notice.

same to the owner personally, or mail the same to the owner by registered mail, provided the address of the owner be known to the agent. If such nuisance be not abated within one week after the service of such notice as aforesaid, the court of common pleas of the county, on the petition of the district attorney or of any citizen of the county, may, after hearing, grant a preliminary injunction, *for a period to be determined by the court, directed to the owner of such building and to the person so using the same, restraining such owner and such person from using or permitting such building to be used as aforesaid.*

Petition for preliminary injunction.

Hearing.

Injunction.

Section 3. Service of such injunction shall be made personally upon the owner, if *such person* can be found in the county. If *such person* cannot be found, a copy thereof shall be delivered to any adult residing in said building and upon the agent, if any, of the owner. If no such adult be found, and service cannot be had upon such agent if any, then service shall be made as the court shall direct. Any person other than such owner *who* shall be served with any such notice of an injunction shall, within twenty-four hours thereafter, deliver the same to said owner, or mail it to said owner by registered mail, provided the address of the owner be known by the person served.

Service of preliminary injunction.

Section 4. If *at any time during the period fixed by the court for the preliminary injunction aforesaid*, the court shall find that the building, or part thereof, was used as aforesaid, the injunction shall be made a perpetual injunction, restraining the owner, his heirs and assigns or successors, and the person or persons using or occupying said building, forever, from using such building, or any part thereof, as aforesaid, or permitting the same to be done, and restraining said person from using said building, or any part thereof, or from using any other building, or part thereof, in the manner aforesaid.

Permanent injunction.

Section 5. Any owner of such building, or any agent of such owner, who, after *the preliminary injunction or after* such injunction be made permanent, shall use such building, or any part thereof, as aforesaid, or knowingly permit the same to be so used, shall be *subject to summary punishment as for contempt of court, in the manner now provided by law.*

Violation of injunction by owner or agent.

Contempt.

Section 6. Any person using said building, or part thereof, as aforesaid, and enjoined with such owner as aforesaid, who shall use said building, or part thereof, or any other building, or part thereof, in violation of such injunction, shall be *subject to summary punishment as for contempt of court in the manner now provided by law.*

Violations by other persons.

Contempt.

Sections seven
and eight
repealed.

Section 2. Sections seven and eight of said act are hereby repealed.

APPROVED—The 25th day of May, A. D. 1921.

WM. C. SPROUL.

No. 411.

AN ACT

Appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity, infancy, and old age, and the prevention, treatment, and cure of disease.

Department of
Health.

Money received
from U. S. for
sanitation, etc.

Section 1. Be it enacted, &c., That all moneys hereafter received by the Treasurer of this Commonwealth from the United States Government for the promotion of sanitation, public health, and health education, preventive medicine, the protection and care of maternity, infancy, and old age, and the prevention, treatment, and cure of disease, now made or to be made, is hereby specifically appropriated to said State Department of Health for such prevention, control, protection, cure, treatment, and promotion.

State Treasurer
shall credit to
general fund.

Section 2. All moneys received hereafter by the State Treasurer and hereby appropriated to the State Department of Health shall be credited by him to the general fund of the said department, and shall be paid out of the State Treasury in the same manner as other appropriations to the State Department of Health are paid.

Payment.

APPROVED—The 24th day of May, A. D. 1921.

WM. C. SPROUL.

No. 412.

AN ACT

To amend section five of an act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, fifteen), entitled "An act relating to nonalcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded nonalcoholic drinks; and providing penalties for the violation thereof, and providing for the enforcement thereof."

Nonalcoholic
drinks.

Section 1. Be it enacted, &c., That section five of an act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, fifteen), entitled "An act relating to nonalcoholic drinks; defining the same; and prohibiting the manufacture, sale, offering for sale, exposing for sale, or having in possession with intent to sell, of any adulterated or misbranded