

ship, or a part of the school district remaining after its separation, would constitute a fourth class school district, in which case it shall remain a part of the school district to which it formerly belonged, unless the change to a new school district is approved by the State Board of Education. In determining whether or not such approval shall be given, the State Board of Education shall investigate the necessity therefor, and take into consideration the welfare of the pupils and taxpayers of such proposed new school district, as well as the effect upon the existing school districts. *Where any school district shall so be constituted of two or more municipal districts, the auditors or the controllers of the cities, boroughs, towns, or townships last created, and which do not form a separate school district, shall meet annually with the auditors of the school district and participate in the audit of the school accounts, and such auditors or controller shall have the same rights and powers as are conferred by this act upon the auditors of school accounts.*

Audit of accounts.

Union districts. Any two or more school districts, as herein constituted, may, by a majority vote of the electors of each of said districts affected and in the manner hereinafter provided, be formed into a union school district. The several school districts thus established and formed shall be, and hereby are, divided into four classes as follows:

Classification of districts.

APPROVED—The 23d day of March, A. D. 1923.

GIFFORD PINCHOT.

No. 23.

AN ACT

To amend section fifty-five of an act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws, three hundred and eighty-two), entitled "An act to Consolidate, Revise and Amend the Penal Laws of this Commonwealth."

Penal Laws.
Section 55, act
of March 31,
1860 (P. L. 382)
amended.

Section 1. Be it enacted, &c., That section fifty-five of an act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws, three hundred and eighty-two), entitled "An act to Consolidate, Revise and Amend the Penal Laws of this Commonwealth," is hereby amended to read as follows:—

Gambling.

Section 55. If any person shall set up or establish, or cause to be set up or established, *either in the open or in any house, room, outhouse, tent, booth, arbor or other place whatsoever, any game or device of address,*

or hazard, with cards, dice, billiard balls, shuffle boards, or any other instrument, article or thing whatsoever, heretofore or which hereafter may be invented, used and employed, at which money or other valuable thing may or shall be played for, or staked or betted upon; or if any person shall procure, permit, suffer and allow persons to collect and assemble in his house, room, out-house, booth, tent, arbor or other place whatsoever, under his control, for the purpose of playing at, and staking or betting upon such game or device of address, or hazard, money or other valuable thing; or if any person being the owner, tenant, lessee or occupant of any house, room, outhouse, tent, booth, arbor or other place whatsoever, shall lease, hire or rent the same, or any part thereof, to be used and occupied, or employed for the purpose of playing at, or staking and betting upon such game or device of address, or hazard, for money or other valuable thing, the person so offending in either of the enumerated cases, shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding one year. The owner of such house, room, out-house, tent, booth, arbor or other place whatsoever, who shall have knowledge that any such game or device of address, or hazard, as aforesaid, has been set up in or upon the said premises, and shall not forthwith cause complaint to be made against the person who has set up or established the same, shall be deemed and held to have knowingly leased, hired or rented the said premises for the said [unlawful] purposes: Provided, That this act shall not be construed to apply to games of recreation and exercise, such as billiards, bagatelle, ten pins, et cetera, where no betting is allowed.

Misdemeanor.
Penalty.

Proviso.

APPROVED—The 26th day of March, A. D. 1923.

GIFFORD PINCHOT.

No. 24.

AN ACT

To amend clause two of section three hundred and eighty-six of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising amending and consolidating the law relating thereto," by extending the power to tax property for lighting purposes in second class townships.

Section 1. Be it enacted, &c., That clause two of section three hundred and eighty-six of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hun-

Townships of the
second class.