

No. 301.

## AN ACT

Fixing the salary of sheriffs in counties of the sixth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; providing for the appointment and compensation of deputies and clerks; and prescribing penalties.

Section 1. Be it enacted, &c., That the sheriff in each county of the sixth class shall receive an annual salary of four thousand dollars. Such salary, in addition to any expenses which may be incurred by such sheriff in the performance of his duties, shall be paid by the county from moneys in the county treasury.

Counties of sixth class.

Salary of sheriff.

The sheriff in said counties shall not be entitled to any additional fees or compensation for the care and maintenance of prisoners, but the actual expense for such care and maintenance of prisoners shall be paid by the county from the county treasury upon itemized bills rendered from time to time.

Expense of care and maintenance of prisoners.

Section 2. It shall be his duty to exact, collect, and receive all such fees to and for the use of the county, except such taxes and fees as are levied for the Commonwealth, which shall be to and for the use of the Commonwealth. He shall keep necessary books and make necessary entries of receipts and disbursements of all moneys earned and chargeable upon the county, specifying the day and date, title of case, for what service and from whom received or due and shall on the first Monday of each and every month pay to the treasurer of the county all fees so received during the preceding month, filing therewith a transcript in detail of his fee account-book for said month, which shall be verified by him under oath or affirmation to contain a true and correct list of all fees received or earned and outstanding or chargeable upon the county for services rendered in his office during said month; that said fees were severally charged at regular rates, and that he has not received and is not to receive from any person or persons, firm, or corporation whatsoever for any official service or duty any other fees than those so entered on said transcript.

Collection of and accounting for fees.

Section 3. If any such sheriff shall neglect to render the accounts required as aforesaid, or to pay over the moneys received for fees as required by this act, or shall wilfully neglect to make any proper entry in the book or books required to be kept, or shall wilfully neglect to charge for any official services the fees allowed by law, or shall take to his own use such fees, or fail to comply with any of the provisions

Failure to account for and to pay over fees a misdemeanor.

of this act, or neglect to discharge any of the duties herein imposed, the same shall be deemed a misdemeanor in office, and in addition to the other penalties for such offenses he shall upon conviction thereof refund the said sum or sums of money thus unlawfully received, and shall be deemed incapable of holding longer the said office.

Falsely swearing to account.

Perjury.

Subornation of perjury.

Rights of action shall inure to county.

Deputies and clerks.

Repeal.

Section 4. Any officer included in this act or any other person who shall wilfully swear falsely in verifying any account, transcript, or bill required in this act, or in making any affidavit in reference thereto, shall be deemed guilty of perjury, and upon conviction thereof shall be liable to the punishment prescribed by the laws of this State for perjury; and any person who shall procure any other person to swear falsely in verifying any such account, transcript, or bill, or in making any affidavit in reference thereto, shall be guilty of subornation of perjury, and upon conviction thereof shall be liable to the punishment prescribed by law for that offense.

Section 5. All rights of action and all other remedies heretofore granted or extended to said sheriffs for the collection of their respective fees are hereby extended, and shall inure to the benefit of the several counties affected by this act, for the collection of all fees and costs that may hereafter accrue to said counties under the provisions of this act.

Section 6. Said sheriffs shall have the power to appoint such deputies and clerks as may be necessary to properly transact the business of the said office, and also the power to discharge the same from time to time. The compensation of such deputies and clerks shall be fixed by the salary board created under the provisions of the act, approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, nine hundred and forty-four), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class." Such salaries shall be paid semi-monthly on the first and fifteenth days of each month.

Section 7. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 11th day of May, A. D. 1925.

GIFFORD PINCHOT.