

"Original member" defined.

9. "Original member" of the retirement association shall mean a State employe who [shall have become a member of the retirement association on or before the thirty-first day of December, nineteen hundred twenty-four. But the retirement board may, in its discretion, extend the time during which a State employe may become an original member to a period not exceeding two years from the date of the establishment of the retirement system.] *was at any time a State employe prior to January first, one thousand nine hundred and twenty-five, whether or not such employment has been continuous, and who shall have become a member of the retirement association on or before December thirty-first, one thousand nine hundred and twenty-eight.*

Back payments.

Any such State employe, who shall become an original member of the association after the approval of this amendment, including those who, having heretofore become a new member thereof, shall become an original member under the provisions hereof, shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established. Such back payments may be spread over a period of years, by having each regular pay roll deduction of such person increased by not less than one-third of the amount thereof, which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full.

May be made by pay roll deductions.

APPROVED—The 29th day of March, A. D. 1927.

JOHN S. FISHER

No. 56

AN ACT

To prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps, or other distributing equipment, for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign, or distinguishing marks, upon such containers, pumps, or distributing equipment; to prohibit adulteration; and fixing penalties.

Whereas, It is customary for manufacturers and distributors of liquid fuels, lubricating oils, and similar products, to market the same under designated and generally known trade names, and, by means of containers, tanks, pumps, and other distributing facilities, bearing the name, trade name, symbol, sign, or other distinguishing marks, of identification, of such manufacturer or distributor; and

Whereas, It is customary for such manufacturers and distributors to furnish or loan, on nominal lease, to the dealers and others, tanks, pumps, and other distributing equipment, for the safe and convenient storage and sale of such products, and for the identification of the products sold therefrom; and

Whereas, This method of marking liquid fuels, lubricating oils, and like products, affords protection to the purchaser against sale of adulterated or inferior products, therefore,

Section 1. Be it enacted, &c., That it shall be unlawful for any person, firm, copartnership, association, or corporation, to store, sell, expose for sale, or offer for sale, any liquid fuels, lubricating oils, or other similar products, in any manner whatsoever, so as to deceive or tend to deceive the purchaser as to the nature, quality, and identity, of the product so sold or offered for sale.

Liquid fuels.

Deception as to nature, quality or identity of product.

Section 2. It shall be unlawful for any person, firm, copartnership, association, or corporation, to store, keep, expose for sale, offer for sale, or sell, from any tank or container, or from any pump, or other distributing device or equipment, any other liquid fuels, lubricating oils, or other similar products, than those indicated by the name, trade name, symbol, sign, or other distinguishing mark, or device, of the manufacturer or distributor, appearing upon the tank, container, pump, or other distributing equipment, from which the same are sold, offered for sale, or distributed.

Use of containers for products other than those indicated by name or mark.

Section 3. It shall be unlawful for any person, firm, copartnership, association, or corporation, to disguise or camouflage his or their own equipment, by imitating the design, symbol, trade name, of the equipment, under which recognized brands of liquid fuels, lubricating oils, and similar products, are generally marketed.

Imitating trade names.

Section 4. It shall be unlawful for any person, firm, copartnership, association, or corporation, to expose for sale, offer for sale, or sell, under any name in general use, any liquid fuels, lubricating oils, or other like products, except those manufactured or distributed by the manufacturer or distributor marketing liquid fuels, lubricating oils, or other like products, under such trade name, or to substitute, mix, or adulterate, the liquid fuels, lubricating oils, or other similar products, sold, offered for sale, or distributed, under such trade names.

Misuse of trade name.

Section 5. It shall be unlawful for any person, firm, copartnership, association, or corporation, to aid or assist any other person, association, or corporation, in the violation of the provisions of this act, by depositing or delivering into any tank, receptacle, or other

Aiding or assisting in violation of this act.

container, any other liquid fuels, lubricating oils, or like products, than those intended to be stored therein and distributed therefrom, as indicated by the name of the manufacturer or distributor or the trade name of the product displayed on the container itself, or on the pump, or other distributing device used in connection therewith.

Violations.

Misdemeanor.

Penalty.

Section 6. Any person, firm, copartnership, association, or corporation, or any servant, agent, or employe, thereof, violating any of the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than two hundred dollars (\$200.00), nor more than five hundred dollars (\$500.00), for the first offense, and of not less than five hundred dollars (\$500.00), nor more than two thousand dollars (\$2,000.00), for each subsequent offense, and, in the case of the second conviction, in addition to the fine above provided for, shall suffer imprisonment of not less than sixty (60) days, nor more than one (1) year, or both, or either, at the discretion of the court.

APPROVED—The 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 57

AN ACT

Validating proceedings and ordinances of borough councils providing for joint grading, paving, curbing and draining of public highways by the borough and county, borough and State, or the borough, county and State, and validating municipal liens therefor.

Boroughs.

Ordinances for joint improvement of highways.

Section 1. Be it enacted, &c., That whenever, in any borough in this Commonwealth, prior to the passage of this act, a highway or part thereof has been jointly improved by the borough and county, borough and State, or the borough, county and State, by being graded, paved or paved, curbed and drained, with brick, concrete or other paving, curbing and draining materials, in pursuance of the authority of an act of the Assembly and an ordinance passed and enacted in pursuance thereof, and the costs and expenses, or part thereof, of the improvement, assessed on abutting property owners, as provided by the ordinance and act of Assembly authorizing and directing such improvement, and a municipal claim or lien has been filed against the property therefor, but owing to some defect in the ordinance, assessment or notice of assessment, or time of filing the lien, or for any other reason whatsoever, the ordinance or proceeding by the council, authorizing and directing the improvement