

officer shall notify the penitentiary or state institution from which the escape was made, which institution shall notify the Department of Justice or the Pennsylvania [Motor] State Police, who shall immediately send an officer or officers to return the prisoner to the penitentiary or state institution.

Return to Institution.

Section 2. All necessary expenses incurred by the officer or officers in returning such prisoner or convict to the penitentiary or state institution shall be borne by the penitentiary or state institution from which the escape was made, which expenses shall be refunded to the Department of Justice or the Pennsylvania [Motor] State Police, as the case may be, whose officer or agent makes such return.

Expenses.

Section 3. This act shall become effective the first day of June, one thousand nine hundred forty-three.

Act effective June 1, 1943.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 61

AN ACT

To further amend the title and the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, four hundred fourteen), entitled, as amended "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

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

Section 1. The title of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws, four hundred fourteen), entitled, as amended "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," as amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-

Title and sections 1, 2, 3, 4, 5 and 6, act of April 27, 1927, P. L. 414, as last amended by act of June 29, 1937, P. L. 2433, further amended.

seven (Pamphlet Laws, two thousand four hundred thirty-three), is hereby further amended to read as follows:

AN ACT

Providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania [Motor] State Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties.

Section 2. Sections one, two, three, four, five and six of said act, as amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, two thousand four hundred thirty-three), are hereby further amended to read as follows:

Identification of criminals.

Recording of identification of criminals.

Persons in charge of penal institutions to furnish information.

Police officers may take fingerprints or photographs of criminals.

Chiefs of bureaus of cities to report fingerprints.

Section 1. From and after the passage of this act, the Pennsylvania [Motor] State Police shall continue to procure and file for record photographs, pictures, descriptions, fingerprints, and such other information as may be pertinent, of all persons who have been, or may hereafter be, convicted of crime within this Commonwealth, and also of all well-known and habitual criminals wherever they may be procured.

Section 2. It shall be the duty of the persons in charge of any State penal institution, or of any jail, prison, or workhouse within this Commonwealth, to furnish to the Pennsylvania [Motor] State Police, upon request, the fingerprints, photographs, and description of any person detained in such institution, jail, prison, or workhouse.

Section 3. The Pennsylvania [Motor] State Police, the persons in charge of State penal institutions, the wardens or keepers of jails, prisons, and workhouses within this Commonwealth, and all police officers within the several political subdivisions of this Commonwealth, shall have the authority to take, or cause to be taken, the fingerprints or photographs of any person in custody, charged with the commission of crime, or who they have reason to believe is a fugitive from justice or a habitual criminal; and it shall be the duty of the chiefs of bureaus of all cities within this Commonwealth to furnish daily, to the Pennsylvania [Motor] State Police, copies of the fingerprints and, if possible, photographs, of all persons arrested within their jurisdiction charged with the commission of felony, or who they have reason to believe are fugitives from justice or habitual criminals, such fingerprints to be taken on forms furnished or approved by

the Pennsylvania [Motor] *State Police*. It shall be the duty of the Pennsylvania [Motor] *State Police*, immediately upon the [receipt] *receipt* of such records, to compare them with those already in their files, and, if they find that any person arrested has a previous criminal record or is a fugitive from justice, forthwith to inform the arresting officer, or the officer having the prisoner in charge, of such fact.

Pennsylvania State Police to compare fingerprints with files.

Section 4. It shall be the duty of the Pennsylvania [Motor] *State Police* to cooperate with agencies of other States and of the United States, having similar powers, to develop and carry on a complete interstate, national, and international system of criminal identification and investigation, and also to furnish, upon request, any information in its possession concerning any person charged with crime to any court, district attorney, or police officer of this Commonwealth, or of another state or of the United States.

Pennsylvania State Police to cooperate with other agencies and to furnish information.

Section 5. (a) The district attorneys of the several counties are hereby authorized and empowered, from time to time, to employ the services of experts on fingerprints to assist them in the investigation of pending cases and to testify upon the trial thereof. The compensation of any such expert shall be fixed by the district attorney employing him, with the approval of the court of quarter sessions, and shall be paid from the county treasury upon warrant of the county commissioners in the usual manner.

District attorneys may employ experts on fingerprints.

Compensation of experts.

(b) The district attorney of any county, the warden or keeper of the county jail, or any expert employed by the district attorney, or any other person designated by the district attorney, shall have the power, upon the written order of the district attorney, to take the fingerprints of any person confined in the county jail of such county for use in the identification of the prisoner or upon his trial.

Power to take fingerprints of prisoner in county jail.

(c) The district attorneys of the several counties shall keep and arrange files of the fingerprints, taken under the provisions of this act, of persons convicted of crime and shall destroy the fingerprints of all persons acquitted. The files of fingerprints maintained by the district attorneys shall be open to the inspection of any other district attorney of this Commonwealth, or their representatives, or of the Pennsylvania [Motor] *State Police*, or any sheriff or police or peace officer.

Disposition of files of fingerprints.

Files to be open to officers.

(d) District attorneys shall not be authorized to take fingerprints, under this section, of persons arrested for misdemeanors, unless the district attorneys have reason to believe that such persons are old offenders against the penal laws of this Commonwealth.

Persons arrested for misdemeanors.

Section 6. Neglect or refusal of any person mentioned in this act to make the report required herein, or

Violations.

to do or perform any other act on his part to be done or performed in connection with the operation of this act, shall constitute a misdemeanor, and such person shall, upon conviction thereof, be punished by a fine of not less than five nor more than twenty-five dollars, or by imprisonment in the county jail for a period of not exceeding thirty days, or by both, in the discretion of the court. Such neglect or refusal shall also constitute malfeasance in office and subject such person to removal from office. Any person who removes, destroys, or mutilates any of the records of the Pennsylvania [Motor] State Police, or of any district attorney, shall be guilty of a misdemeanor,* and such person shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for a period of not exceeding one year, or by both, in the discretion of the court.

Act effective
June 1, 1943.

Section 3. This act shall become effective the first day of June, one thousand nine hundred forty-three.

APPROVED—The 28th day of April, A. D. 1943.

EDWARD MARTIN

No. 62

AN ACT

To amend section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, six hundred ninety-four), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by changing the name State Highway Patrolmen to Pennsylvania State Police.

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

Act of June 22,
1931, P. L. 694,
section 8,
amended.

Excise tax on
gross receipts.

Section 1. Section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (Pamphlet Laws, six hundred ninety-four), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," is hereby amended to read as follows:

Enforcement.

Certain powers
given to Penn-
sylvania State
Police.

Section 8. Such employes of the Commonwealth as are designated as ["State Highway Patrolmen"] "*Pennsylvania State Police*" shall aid the Department of Revenue in the enforcement of this act, and, for this purpose, are hereby declared to be peace officers, and are hereby given police power and authority throughout the Commonwealth to arrest on view, without writ,

* "misdemeanor" in original.