

Section 10. [The board of trustees shall have the power to transfer temporarily to the State prison, State penitentiary, State reformatory, or industrial school of reformatory grade of the proper district any prisoner who, subsequent to his committal, shall be shown to their satisfaction to have been, at the time of his conviction, more than twenty-one years of age, or to have been previously convicted of crime; and may also so transfer any apparently incorrigible prisoner, whose presence in the school appears to be seriously detrimental to the well being of the institution. And such trustees may, by written requisitions, require the return to the school of any person who may have been so transferred.] The said board of trustees shall [also] have [power to make all rules and regulations necessary and proper, and not contrary to the Constitution and laws of this Commonwealth, for the employment, discipline, instruction, education, removal, and absolute, temporary, or conditional release of all convicts in said industrial school, and shall have] authority to prevent the escape of convicts at all hazards. *The Pennsylvania Board of Parole shall have exclusive jurisdiction to parole said convicts, in accordance with the provisions of the act, approved the sixth day of August, one thousand nine hundred forty-one (Pamphlet Laws 861), as amended.*

Escape of convicts.

Parole of convicts.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 419

AN ACT

To further amend section one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (Pamphlet Laws 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners," by providing for transfers by the Deputy Commissioner for Treatment of the Bureau of Correction in the Department of Justice.

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

Section 1. Section one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (Pamphlet Laws 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners, under sentence of law, to some other prison, penitentiary, workhouse, house of correction, or

Penal institutions.

Section 1, act of July 11, 1923, P. L. 1044, as amended by act of April 23, 1929, P. L. 640, further amended.

other institution for adult prisoners," as amended by the act, approved the twenty-third day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 640), is hereby further amended to read as follows:

Transfer of inmates.

Section 1. Be it enacted, &c., That the [Department of Welfare of this Commonwealth] *Deputy Commissioner for Treatment of the Bureau of Correction in the Department of Justice* is hereby authorized and empowered

Petition.

and, upon petition being presented to [it] *him* by the board of inspectors, if there be such board, otherwise the superintendent or official in charge of any penitentiary, prison, workhouse, house of correction, or other institution for adult prisoners, located within any county,

Contents of petition.

setting forth that the said penitentiary, prison, workhouse, house of correction, or other institution for adult prisoners, cannot, by reason of overcrowded condition or other existing conditions, furnish proper and sufficient accommodations for the care, custody, control, and safety of the inmates thereof, and that it is requested that a certain number of inmates, set forth in such petition,

Order authorizing and directing such transfer.

should be transferred therefrom, may make an order authorizing and directing the said board of inspectors, if there be such board, otherwise the superintendent or official in charge, to transfer to another prison, penitentiary, workhouse, house of correction, or other institution for adult prisoners, such person or persons whom the board of inspectors, if there be such board, otherwise the superintendent or official in charge, shall specify and designate:

Proviso.

Provided, however, That before any transfer is made as aforesaid, the court of quarter sessions of the county wherein any such penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners is located, shall give its consent to such transfer. In the event of the overcrowded condition or other existing condition of such penitentiary, prison, workhouse, house of correction, or other institution for adult prisoners, be remedied, so that it shall again be able to furnish proper and sufficient accommodations for the care, custody, control, and safety of inmates thereof,

Retransfer.

the [department] *Deputy Commissioner* is hereby authorized and empowered, upon petition being presented to [it] *him* by the said board of inspectors, if there be such board, or by the superintendent or other official in charge, to retransfer to said penitentiary, prison, workhouse, house of correction, or other institution for adult prisoners, any or all inmates heretofore transferred under the terms of this act.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE