

The provisions of this section shall apply to any trust, whether it is known as a spendthrift trust or otherwise, whether such trust was created or came into existence before or after the passage of this act. Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments.

Any wife so deserted shall be a competent witness on the part of the Commonwealth, and the husband shall also be a competent witness.

Should any such person abscond, remove or be found in any other county of the Commonwealth than the one in which said warrant issued, he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found.

Whenever the court of quarter sessions of any county in the Commonwealth commits the person complained of to the county prison, there to remain until he complies with their order or give security, etc., the court may at any time after three (3) months, if it shall be satisfied of the inability of such person to comply with the said order and give such security, to discharge him from imprisonment.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1957.

GEORGE M. LEADER

No. 252

AN ACT

Amending the act of July 13, 1953 (P. L. 431), entitled "An act relating to support of dependents; providing a procedure for enforcement thereof, including attachment of property and earnings; conferring powers and imposing duties upon courts, district attorneys and probation officers," further regulating the procedure in such cases in counties of the first class.

The Pennsylvania Civil Procedural Support Law.

Sections 6, 8, subsections (a) and (b), section 9, and subsection (e), section 13, act of July 13, 1953, P. L. 431, amended.

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

Section 1. Sections 6, 8, subsections (a) and (b) of section 9, and subsection (e) of section 13, act of July 13, 1953 (P. L. 431), known as "The Pennsylvania Civil Procedural Support Law," are amended to read:

Section 6. Contempt of Court.—If a person duly served with a copy of a complaint and order shall fail to appear, the court may issue an attachment, directed to the sheriff or other proper officer of the county, directing and commanding that the person named as having failed to appear be brought before the court at such time

as the court may direct, at which time the court may adjudge said person in contempt of court and, in its discretion, may commit such person to the county jail or house of correction for a period not exceeding six (6) months.

*Whenever an attachment is issued in counties of the first class, the person named as having failed to appear shall be brought before the court forthwith, but in any event within forty-eight (48) hours or two court working days, whichever is the longer from the time the person is taken in custody of law pursuant to the attachment; at which time, if the court shall find, after hearing, that the person having been duly served with a copy of the complaint and order wilfully failed to appear, the court may adjudge such person in contempt of court and, in its discretion, may commit such person to the county jail or house *of correction for a period not exceeding six (6) months.*

Section 8. Compelling Attendance.—(a) At all stages of proceedings provided under this act, the court may compel the attendance, by attachment process directed to the sheriff or other proper officer of the county, directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct, at which time the court may adjudge such person in contempt of court and, in its discretion, may commit such person to the county jail or house of correction for a period not exceeding six (6) months.

Whenever an attachment is issued in counties of the first class, the person named as having failed to appear shall be brought before the court forthwith, but in any event within forty-eight (48) hours or two court working days, whichever is the longer from the time the person is taken in custody of law pursuant to the attachment; at which time, if the court shall find, after hearing, that the person named having been duly required to appear wilfully failed to appear, the court may adjudge such person in contempt of court and, in its discretion, may commit such person to the county jail or house of correction for a period not exceeding six (6) months.

(b) At any stage of the proceedings under this act, upon affidavit that the defendant is about to leave the jurisdiction, an attachment may be issued, directed to the sheriff or other proper officer of the county, directing that the person named be brought before the court at such time as the court may direct, at which time the court may direct that the person named give security,

* "or" in original.

by one or more sureties, to appear when directed by the court or to comply with any order of the court. *Whenever an attachment is issued in counties of the first class, the person named therein shall be brought before the court forthwith, but in any event within forty-eight (48) hours or two court working days, whichever is the longer from the time the person is taken in custody of law pursuant to the attachment; at which time, if the court shall find, after hearing, that the defendant is about to leave the jurisdiction, the court may direct that the person named give security, by one or more sureties, to appear when directed by the court, or to comply with any order of the court.*

Section 9. Enforcement of Orders of the Court.—

(a) The court, upon receiving information, either through written application or at any hearing, that there is failure to comply with the order of the court, may issue attachment proceedings, directed to the sheriff or other proper officer of the county, directing that the person named be brought before the court at such time as the court may direct, *which in counties of the first class shall be within forty-eight (48) hours or two court working days, whichever is the longer from the time the person is taken in custody of law pursuant to the attachment.*

(b) Any wilful failure to comply with any order of the court may be deemed a contempt of court and *except in counties of the first class may be punishable by the court by commitment to the county jail or house of correction. In counties of the first class, any person who is found, after hearing, to have wilfully failed to comply with any order of the court may be adjudged in contempt of court and may be punished by the court by commitment to the county jail or house of correction until compliance with said order, but in no case for a period exceeding six (6) months, and the court in its order shall state the condition which upon fulfillment will result in the release of such person.*

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Section 13. Duties of Court in Responding County.—

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(e) The responding county shall have the power to subject the defendant or his property to such terms and conditions as the court may deem proper to assure compliance with its orders and, in particular, (1) to require the defendant to furnish recognizance in the form of cash deposit or bond, of such character and in such amount as the court may deem proper, to assure compliance with the order of support, (2) to require the defendant to make payments at specific intervals to its

Domestic Relations Division, (3) to punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of court, *except that no such punishment shall be imposed in counties of the first class unless the defendant is found, after hearing, to have wilfully violated an order of the court.*

Section 2. This act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1957.

GEORGE M. LEADER

No. 253

AN ACT

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," clarifying the provisions relating to change of classification of school districts.

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

Public School
Code of 1949.

Section 1. The first paragraph of section 204, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," is amended and clause (2) thereof, amended July 27, 1953 (P. L. 621), is reenacted to read as follows:

The first paragraph of section 204, act of March 10, 1949, P. L. 30, amended, and clause (2), amended July 27, 1953, P. L. 621, reenacted.

Section 204. Basis for and Change of Classification.
—[The] *Except as provided in clause (2) of this section, the last United States census, as set forth in the official report thereof, shall be the basis on which the population of the several school districts shall be computed. A change from one class of school district to another shall be made in the following cases, and in no other:—*

* * * * *

(2) When a district, which at a decennial census, had sufficient population to entitle it to an advance to another class of district, has since suffered a large decrease in population, or which at a decennial census did not have sufficient population to entitle it to an advance to another class of district and has since increased in population, a census of the district may be authorized by the board of school directors of the district, and, if it shall appear that said district has not the required population to remain in the class in which the same then is or if it shall appear that the district has sufficient population to entitle it to advance to another class of district, the