

be open for inspection by any peace officer or department employe. Every magistrate shall make a monthly report to the department, not later than the tenth day of the following month, of the disposition of every case where [an information has been filed charging a violation of any provision of this act, where] a notice charging a violation of the provisions of this act has been sent to a person, or where such person has been arrested on view, or with a warrant, charging a violation of any of the provisions of this act. These requirements shall not be deemed to make such a court a court of record. Abstracts [and reports] required by this section shall be made upon forms prepared by the department, and shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment *and* the amount of the fine or forfeiture [and other information deemed necessary by the department]; and every such abstract [or report] shall be certified by the magistrate as a true abstract [or report] of the record of the court.

* * * * *

Section 5. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 5th day of July, A. D. 1957.

GEORGE M. LEADER

—
No. 282

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," creating and defining the offense of shoplifting, providing penalties for such offense, creating presumptions arising out of the concealment of goods held for sale by merchants, and providing for the detention of persons guilty of shoplifting.

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

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding, after section 816, a new section to read:

Act of June 24, 1939, P. L. 872, amended by adding a new section 816.1.

Section 816.1. Shoplifting.—(a) Whoever shall willfully take possession of any goods, wares or merchandise offered for sale by any store or other mercantile establishment, with the intention of converting the same to his own use without paying the purchase price thereof, shall be guilty of shoplifting, and, upon conviction thereof in a summary proceeding, shall be sentenced to pay a fine of not less than twenty-five dollars (\$25) and

not more than fifty dollars (\$50), or to undergo imprisonment of not less than five (5) days and not more than ten (10) days, or both.

(b) Any person wilfully concealing unpurchased goods or merchandise of any store or other mercantile establishment, either on the premises or outside the premises of such store, shall be prima facie presumed to have so concealed such article with the intention of converting the same to his own use without paying the purchase price thereof within the meaning of subsection (a) of this section, and the finding of such unpurchased goods or merchandise concealed, upon the person or among the belongings of such person, shall be prima facie evidence of wilful concealment, and, if such person conceals, or causes to be concealed, such unpurchased goods or merchandise, upon the person or among the belongings of another, the finding of the same shall also be prima facie evidence of wilful concealment on the part of the person so concealing such goods. Persons so concealing such goods may be detained, in a reasonable manner and for a reasonable length of time, by a peace officer or a merchant or a merchant's employe in order that recovery of such goods may be effected. Such detention by a peace officer, merchant or a merchant's employe shall not render such peace officer, merchant or merchant's employe, criminally or civilly, liable for false arrest, false imprisonment or unlawful detention.

(c) The offenses for which penalties and the presumptions are herein provided shall not be exclusive, and shall be in addition to previously existing offenses, and such rights and presumptions as were heretofore provided by law.

Act effective
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 5th day of July, A. D. 1957.

GEORGE M. LEADER

No. 283

AN ACT

Amending the act of July 27, 1955 (P. L. 288), entitled "An act making it unlawful for owners of certain property in cities of the first class to sell or agree to sell such property without first delivering to the purchaser a use registration permit; and requiring such owners to insert in any agreement of sale of such property a statement concerning zoning classification and use of such property; and providing penalties for violations," extending the provisions thereof to additional property in cities of the first class, and providing for the delivery of certifications of district classification by sellers of such property.