

constituted playground associations, and approved and accepted by the board of assessment and revision of taxes of the county in which said playgrounds are situated as such playgrounds, *a school board may, by resolution, agree to pay for grading, paving, macadamizing, maintenance or improvement of streets or roads abutting land owned by the school district.*

* * * * *

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 18th day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 617

AN ACT

Revising the procedure to be followed in cities of the first class concerning arrest detention and bail, substituting criminal summons for warrant of arrest in certain criminal cases, and fixing penalties.

Cities of first class.

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

In certain criminal cases, where defendant is resident of first class city and offense occurs therein, prosecution shall begin by information and criminal summons. Warrant of arrest shall not issue initially and bail shall not be required except upon affidavit of probable flight of defendant.

Section 1. In all criminal cases punishable by fine or fine and imprisonment not exceeding two years, or in the case of larceny or fraudulent conversion where the amount in question is two hundred dollars (\$200) or less, where the defendant is a resident of a city of the first class and the offense is alleged to have occurred therein, prosecution shall henceforth be begun by information as heretofore and a criminal summons which shall be issued by any judge or magistrate, and in no such case shall any warrant of arrest be initially issued nor shall any such alleged offender be required to give bail for his appearance at the preliminary hearing or for his appearance at the trial of the case in the court of quarter sessions, except upon affidavit presented to the judge or magistrate showing reasonable cause to believe that the defendant will probably flee the jurisdiction. Such affidavit shall set forth the facts constituting such reasonable cause.

Form of complaint.

Section 2. (a) The criminal summons herein prescribed shall be in the following form :

..... Court County of
(Name of defendant)

To
(Name of complainant)

Complaint having been made this day by

that you (here briefly state the nature of the offense regarding which the complaint is made), you are hereby summoned to appear before me (here insert the title of the official issuing the summons) at (location of the Court) on theday of, 19...., at o'clockM., to the end that an investigation may be made of the said complaint, and upon your failure to appear at the time and place herein mentioned, you are liable to a fine not exceeding one hundred dollars (\$100).

Date at this day of, 19.....

Signed.....

(b) Whoever shall, without cause, wilfully refuse or fail to appear at the time and place fixed by the criminal summons issued in the form prescribed by this section, shall, upon conviction thereof before the judge or magistrate issuing such summons, be sentenced to pay a fine not exceeding one hundred dollars (\$100).

Violation and penalty.

Section 3. A record to be known as the Criminal Summons Docket shall be kept in the office of the issuing judge or magistrate of the issuance and disposition of all criminal summonses.

Criminal Summons Docket.

Section 4. The criminal summons and a copy of the complaint shall be served by the peace officer or other person designated by the issuing official in the same manner as original process in civil actions at law.

Service of process.

Section 5. On defendant's failure to appear in response to the criminal summons herein provided, the official who issued such criminal summons shall forthwith issue a warrant for his arrest.

Warrant of arrest issues upon failure to appear.

Section 6. In any event in which the defendant fails to appear in court when required to do so as a result of proceedings pursuant to this act, the court in which the defendant was required to appear shall issue a warrant for his arrest.

Warrant of arrest issues upon failure to appear.

Section 7. Nothing in this act shall be deemed to affect the right of a peace officer to arrest on sight for breach of the peace or for any other offense as heretofore.

Nonapplicability of this act to right of peace officer to arrest.

Section 8. All acts and parts of acts are hereby repealed in so far as they are inconsistent herewith.

General repeal.

APPROVED—The 18th day of September, A. D. 1961.

DAVID L. LAWRENCE