

No such permit shall be issued for the movement of any self-propelled farm machine with a width in excess of ninety-six (96) inches, other than an oversized self-propelled combine, upon the Pennsylvania Turnpike or the National System of Interstate and Defense Highway.

* * *

Penalty.—Any person operating or moving a vehicle or tractor or load of a size or weight exceeding the maximum specified in this act, without first having obtained a permit or permits so to do, and any person altering or forging a special permit for excessive size and weight, or presenting or exhibiting an altered or forged special permit for excessive size and weight, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

APPROVED—The 27th day of November, A. D. 1968.

RAYMOND P. SHAFER.

No. 351

AN ACT

SB 1749

Implementing the provisions of section 9 of Article V of the Constitution of the Commonwealth of Pennsylvania by providing for a right of appeal in all cases from courts of record not otherwise provided for.

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

Section 1. Except as provided in section 2 there shall be a right of appeal under this act from a final order, decision, judgment, or sentence of a court of record to an appellate court as provided by section 9 of Article V of the Constitution. The aforesaid appeal shall be taken to the Superior Court, unless otherwise provided by statute, including the act of June 24, 1895 (P. L. 212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments," and its amendments. The appeals provided for in this act shall be taken within thirty days of the order, decision or other action of the court of record, in accordance with the procedure prescribed by the Supreme Court, or in the

absence of such rules of procedure, as provided for other appeals to the court having jurisdiction of the appeal.

Section 2. The provisions of this act shall not apply to any order, decision, judgment or sentence of a court of record which under any act of Assembly heretofore enacted may be appealed to an appellate court.

Section 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Section 4. This act shall take effect January 1, 1969, and shall apply to all such appeals taken on or after that date.

APPROVED—The 2d day of December, A. D. 1968.

RAYMOND P. SHAFER.

No. 352

AN ACT

SB 1750

Implementing the provision of subsection (b) of section 7 of Article V of the Constitution of Pennsylvania authorizing the General Assembly to establish classes of magisterial districts and salaries of district justices of the peace and providing for their offices and the disposition of costs.

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

Section 1. Short Title.—This act shall be known and may be cited as the “Magisterial Districts Act.”

Section 2. Definitions.—As used in this act—

(1) “Court” means the Supreme Court of Pennsylvania or the court of common pleas for each judicial district under the direction of the Supreme Court of Pennsylvania.

(2) “Political subdivision” means a city of the second class A, city of the third class, borough, incorporated town, township of the first class, township of the second class or any similar general purpose unit of government hereafter created by the General Assembly except any such political subdivision situated within a county of the second class.

(3) “Population” means the number of persons residing within a political subdivision or part thereof as determined by the then current Federal decennial or Federal special census.

(4) “Population density” means the number of persons residing within a political subdivision or part thereof as determined by dividing said number by the land area expressed in square miles as determined in the official publication by the Bureau of Statistics of the Department of Commerce.