

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 All acts and parts of acts inconsistent with this act are hereby repealed.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

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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.

(5) "District justice" means a justice of the peace elected or appointed to a term of office commencing on or after January 1, 1970.

Section 3. Magisterial Districts; Establishment.—(a) The court shall establish the number and boundaries of magisterial districts of the classes determined as hereinafter provided within each judicial district except the First and Fifth Judicial Districts by January 1, 1969, and these magisterial districts, except where a community court has been adopted, shall come into existence on January 1, 1970. The district justices thereof shall be elected at the municipal election in 1969.

(b) The court in establishing the number and boundaries of magisterial districts shall not subdivide political subdivisions, excepting only (i) those which contain two or more noncontiguous parts and (ii) in the case of a political subdivision containing within its boundaries two or more magisterial districts, in which case wards or other election districts of the political subdivision shall not be subdivided.

Section 4. Magisterial Districts; Classes.—(a) The classes of magisterial districts shall be determined as follows:

(1) Magisterial districts of the first class shall have a population density of more than one thousand persons per square mile and a population of not less than fifteen thousand persons.

(2) Magisterial districts of the second class shall have a population density of more than four hundred persons per square mile and a population of not less than four thousand persons.

(3) Magisterial districts of the third class shall have a population density of less than four hundred persons per square mile and a population of not less than four thousand persons.

(4) Magisterial districts of the fourth class shall have a population density of less than four hundred persons per square mile and a population of more than two thousand persons but less than four thousand persons.

(b) In the case of a political subdivision containing within its boundaries two or more magisterial districts, the court shall divide said political subdivision into magisterial districts as nearly equal as possible in population and area, and the court may presume that the population density of each part of a political subdivision is the same population density as for the whole political subdivision.

Section 5. Salaries.—(a) A district justice shall receive an annual salary paid by the Commonwealth and computed by adding to three thousand dollars (\$3,000) the product of the population of his magisterial district times forty cents (40¢), but in no event shall the salary exceed fourteen thousand dollars (\$14,000).

(b) The court shall certify to the State Treasurer the number of persons residing within each magisterial district in the Commonwealth. For determining population for salary purposes only, it may consider any population figures or estimates made by any Federal, State or local agency.

Section 6. Offices.—The district justice shall establish an office or offices within the magisterial district in locations approved by the

president judge of the court of common pleas in compliance with standards and rules prescribed by the Supreme Court.

Reasonable costs and expenses incident to the establishment, maintenance and operation of offices of district justices as approved by the president judge of the court of common pleas and the county commissioners in compliance with standards and rules prescribed by the Supreme Court shall be paid by the county in which the offices are located.

Section 7. Costs; Disposition.—All costs collected by a district justice shall be paid monthly to the county in which his magisterial district is located, and such costs shall be retained by the county for its use.

Section 8. Effective Date.—This act shall take effect immediately.

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

RAYMOND P. SHAFER.

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No. 353

AN ACT

SB 1751

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 adjudications of administrative agencies of political subdivisions; and providing for the practice and procedure before said agencies.

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 "Local Agency Law."

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

(1) "Adjudication" means any final order, decree, decision, determination or ruling by a local agency affecting personal or property rights, privileges, immunities or obligations of any or all of the parties to the proceeding in which the adjudication is made, but shall not mean any final order, decree, decision, determination or ruling based upon a proceeding before a court, or which involves the seizure or forfeiture of property, or which involves paroles or pardons.

(2) "Local agency" means any department, departmental board or commission, independent administrative board or commission, office or other agency of a political subdivision now in existence or hereafter created, empowered to determine or affect private rights, privileges, immunities or obligations by adjudication, but shall not include a court of record, a magistrate, alderman, justice of the peace, nor