

No. 493

## AN ACT

Fixing the fees and mileage of the coroner in counties of the fourth class.

Coroners.

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

Fees and mileage of coroners in counties of fourth class fixed.

Section 1. The fees to be received by the coroner of each county of the fourth class shall be as follows: For viewing a dead body, eleven dollars; summoning and qualifying inquest, drawing and returning inquisition, seven dollars fifty cents; summoning and qualifying each witness, one dollar; to be paid out of the goods, chattels, lands or tenements of the slayer (in cases of murder or manslaughter), if any he hath, if otherwise, by the county, with mileage at the rate of ten cents for each mile circular traveled from the court house to the place of viewing the body; executing any process or writs of any kind, the same fees as are allowed to the sheriff and the same mileage.

Section XIX, act of March 28, 1814, P. L. 352, as amended by act of April 7, 1927, P. L. 168, repealed as to counties of fourth class.

Section 2. Section XIX of the act, approved the twenty-eighth day of March, one thousand eight hundred fourteen (Pamphlet Laws 352), entitled "An act establishing a fee bill," as amended by the act, approved the seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 168), is hereby repealed as to counties of the fourth class.

APPROVED—The 7th day of January, A. D. 1952.

JOHN S. FINE

---

No. 494

## AN ACT

To designate the several judicial districts of the Commonwealth, as required by the Constitution, and to provide for the election and commissioning of judges learned in the law for the said districts.

Judicial districts.

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

Judicial districts of Commonwealth, as required by Constitution, designated.

Section 1. Be it enacted, &c., That the judicial districts of the Commonwealth shall be numbered, composed, designated, and shall each have the number of judges, respectively, as follows:

The first district shall be composed of the city and county of Philadelphia, and shall have twenty-one judges learned in the law in the common pleas, and six judges

learned in the law in the orphans' court, and such judges of the municipal court as now or may hereafter be provided by law.

The second district, of the county of Lancaster, and shall have two judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The third district, of the county of Northampton, and shall have three judges learned in the law.

The fourth district, of the county of Tioga, and shall have one judge learned in the law.

The fifth district, of the county of Allegheny, and shall have sixteen judges learned in the law in the common pleas, and three judges learned in the law in the orphans' court, and such judges of the county court as now or may hereafter be provided by law.

The sixth district, of the county of Erie, and shall have two judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The seventh district, of the county of Bucks, and shall have three judges learned in the law.

The eighth district, of the county of Northumberland, and shall have two judges learned in the law.

The ninth district, of the county of Cumberland, and shall have one judge learned in the law.

The tenth district, of the county of Westmoreland, and shall have four judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The eleventh district, of the county of Luzerne, and shall have five judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The twelfth district, of the county of Dauphin, and shall have four judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The thirteenth district, of the county of Greene, and shall have one judge learned in the law.

The fourteenth district, of the county of Fayette, and shall have three judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The fifteenth district, of the county of Chester, and shall have two judges learned in the law.

The sixteenth district, of the county of Somerset, and shall have one judge learned in the law.

The seventeenth district, of the counties of Union and Snyder, and shall have one judge learned in the law.

The eighteenth district, of the county of Clarion, and shall have one judge learned in the law.

The nineteenth district, of the county of York, and shall have two judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The twentieth district, of the county of Huntingdon, and shall have one judge learned in the law.

The twenty-first district, of the county of Schuylkill, and shall have four judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The twenty-second district, of the county of Wayne, and shall have one judge learned in the law.

The twenty-third district, of the county of Berks, and shall have three judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The twenty-fourth district, of the county of Blair, and shall have one judge learned in the law.

The twenty-fifth district, of the county of Clinton, and shall have one judge learned in the law.

The twenty-sixth district, of the county of Columbia, and shall have one judge learned in the law. The county of Montour shall be attached to this district.

The twenty-seventh district, of the county of Washington, and shall have three judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The twenty-eighth district, of the county of Venango, and shall have one judge learned in the law.

The twenty-ninth district, of the county of Lycoming, and shall have two judges learned in the law.

The thirtieth district, of the county of Crawford, and shall have one judge learned in the law.

The thirty-first district, of the county of Lehigh, and shall have two judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The thirty-second district, of the county of Delaware, and shall have four judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The thirty-third district, of the county of Armstrong, and shall have one judge learned in the law.

The thirty-fourth district, of the county of Susquehanna, and shall have one judge learned in the law.

The thirty-fifth district, of the county of Mercer, and shall have one judge learned in the law.

The thirty-sixth district, of the county of Beaver, and shall have two judges learned in the law.

The thirty-seventh district, of the county of Warren, and shall have one judge learned in the law. The county of Forest shall be attached to this district.

The thirty-eighth district, of the county of Montgomery, and shall have four judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The thirty-ninth district, of the county of Franklin, and shall have one judge learned in the law.

The fortieth district, of the county of Indiana, and shall have one judge learned in the law.

The forty-first district, of the counties of Juniata and Perry, and shall have one judge learned in the law.

The forty-second district, of the county of Bradford, and shall have one judge learned in the law.

The forty-third district, of the counties of Monroe and Pike, and shall have one judge learned in the law.

The forty-fourth district, of the counties of Wyoming and Sullivan, and shall have one judge learned in the law.

The forty-fifth district, of the county of Lackawanna, and shall have three judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The forty-sixth district, of the county of Clearfield, and shall have one judge learned in the law.

The forty-seventh district, of the county of Cambria, and shall have three judges learned in the law in the common pleas, and one judge learned in the law in the orphans' court.

The forty-eighth district, of the county of McKean, and shall have one judge learned in the law.

The forty-ninth district, of the county of Centre, and shall have one judge learned in the law.

The fiftieth district, of the county of Butler, and shall have one judge learned in the law.

The fifty-first district, of the counties of Adams and Fulton, and shall have one judge learned in the law.

The fifty-second district, of the county of Lebanon, and shall have one judge learned in the law.

The fifty-third district, of the county of Lawrence, and shall have two judges learned in the law.

The fifty-fourth district, of the county of Jefferson, and shall have one judge learned in the law.

The fifty-fifth district, of the county of Potter, and shall have one judge learned in the law.

The fifty-sixth district, of the county of Carbon, and shall have one judge learned in the law.

The fifty-seventh district, of the county of Bedford, and shall have one judge learned in the law.

The fifty-eighth district, of the county of Mifflin, and shall have one judge learned in the law.

The fifty-ninth district, of the counties of Cameron and Elk, and shall have one judge learned in the law.

And in all cases where a county is or shall be attached to a contiguous district, the qualified voters of said county shall be entitled to vote for the judge or judges.

Nomination of judges.

Section 2. The nomination of judges which the qualified electors of any county are entitled to elect of themselves, unconnected with any other county or district, shall be made, held and conducted, and the returns of votes cast at primary elections for the nomination of such judges shall be made, computed, canvassed and certified, as now or may be hereafter provided by law.

Election of successors.

Section 3. In all judicial districts, at the municipal election next preceding the expiration of the term of any judge now or hereafter commissioned, the qualified electors of any county or counties composing such district shall elect a successor to such judge, to serve as provided by law.

President judge and additional law judge or judges.

Section 4. In all districts in which, by the provisions of this act, two or more judges are provided, one of said judges shall be the president judge of said district, and the other or others shall be the additional law judge or judges thereof. The judge of said districts whose commission shall first expire shall be the president judge thereof, except when the president judge has been or shall be reelected, in which case he shall continue to be president judge. The said additional law judge or judges shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district, and shall hold his or their office for a like term and by the same tenure, and shall have the same powers, authority and jurisdiction, and shall be subject to the same duties, restrictions and penalties, as the president judge of said district.

Procedure in cases of division or transfer of districts.

Section 5. In all cases where, by the provisions of this act, a district heretofore consisting of more than one county is divided into two or more districts, and in all cases in which counties are transferred from one district to another, the judge now in office shall continue to serve, until the expiration of his term of office, as judge of the district which, by this act, is given the same number as that of the district in which the said judge has heretofore served. At the municipal election next preceding the expiration of the term of office of any such judge, the electors of the county or counties composing such district shall elect a judge to serve, as provided by law.

Appointment of new judges.

Section 6. In all districts in which the office of president judge, additional law judge or the office of orphans' court judge is created by the provisions of this act, the Governor shall appoint a person, learned in the law and otherwise legally qualified, and commission him as president judge, additional law judge or orphans' court judge

of such district, as the case may be, to serve until the first Monday of January, one thousand nine hundred fifty-four. At the municipal election to be held in the year one thousand nine hundred fifty-three, successors to the judges so appointed shall be elected by the proper counties for terms of ten years, and shall take office on the first Monday of January, one thousand nine hundred fifty-four. Where any office of judge has been created at the session of the General Assembly of one thousand nine hundred fifty-one, otherwise than by this act, such office shall be in addition to those provided for by this act.

Election of successors.

Office of judge created at session of General Assembly of 1951.

Section 7. The following acts and parts of acts and all amendments thereof are hereby repealed:

Acts, parts of acts, and amendments thereof, repealed.

(1) The act, approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws 167), entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts."

Act of May 21, 1931, P. L. 167.

(2) The act, approved the twenty-eighth day of May, one thousand nine hundred thirty-one (Pamphlet Laws 200), entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-ninth judicial district."

Act of May 28, 1931, P. L. 200.

(3) The act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 931), entitled "An act to establish a separate orphans' court in and for the county of Lehigh."

Act of June 23, 1931, P. L. 931.

(4) The act, approved the fifteenth day of March, one thousand nine hundred thirty-seven (Pamphlet Laws 96), entitled "An act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a district and separate court of common pleas designated court of common pleas number six; and providing for the election and appointment of judges for said court."

Act of March 15, 1937, P. L. 96.

(5) The act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (Pamphlet Laws 459), entitled "An act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number seven; and providing for the election and appointment of judges \*for said court."

Act of April 28, 1937, P. L. 459

(6) The act, approved the thirteenth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 622), entitled "An act to establish a separate orphans' court in and for the County of York."

Act of May 13, 1937, P. L. 622.

\* "or" in original.

Act of May 25,  
1937, P. L. 792.

(7) The act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 792), entitled "An act to establish a separate orphans' court in and for the county of Dauphin."

Act of May 26,  
1937, P. L. 897.

(8) The act, approved the twenty-sixth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 897), entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-first judicial district."

Act of July 18,  
1941, P. L. 423

(9) The act, approved the eighteenth day of July, one thousand nine hundred forty-one (Pamphlet Laws 423), entitled "An act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District."

Act of April 21,  
1949, P. L. 663.

(10) The act, approved the twenty-first day of April, one thousand nine hundred forty-nine (Pamphlet Laws 663), entitled "An act to provide for an additional law judge of the court of common pleas in the twelfth judicial district."

Act of April 21,  
1949, P. L. 676.

(11) The act, approved the twenty-first day of April, one thousand nine hundred forty-nine (Pamphlet Laws 676), entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district."

Act of May 2,  
1949, P. L. 871.

(12) The act, approved the second day of May, one thousand nine hundred forty-nine (Pamphlet Laws 871), entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district."

Act of May 2,  
1949, P. L. 895.

(13) The act, approved the second day of May, one thousand nine hundred forty-nine (Pamphlet Laws 895), entitled "An act to provide for an additional law judge of the court of common pleas in the tenth judicial district."

Inconsistent acts  
repealed.

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

Act of May 5,  
1911, P. L. 198,  
and amendments  
thereto, saved  
from repeal.

Nothing in this act shall be construed to repeal or alter the provisions of an act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," or the amendments thereto; nor to repeal or alter any of the provisions of an act, approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia;

Act of July 12,  
1913, P. L. 711,  
and amendments  
thereto, saved  
from repeal.

regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," or the amendments thereto.

Section 8. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 8th day of January, A. D. 1952.

JOHN S. FINE

No. 495

AN ACT

Providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith; requiring psychiatric examinations of such persons before the imposition of such a sentence; conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole; and providing for the parole and reparole or absolute discharge of persons so sentenced and the procedure relating thereto.

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

Crimes.

Section 1. For the better administration of justice and the more efficient punishment, treatment and rehabilitation of persons convicted of the crime of indecent assault, incest, assault with intent to commit sodomy, solicitation to commit sodomy, sodomy, assault with intent to ravish or rape, if the court is of the opinion that any such person, if at large, constitutes a threat of bodily harm to members of the public, or is an habitual offender and mentally ill, the court, in lieu of the sentence now provided by law, for each such crime, may sentence such person to a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life.

Declaration of policy with respect to persons convicted of indecent assault and related crimes.

Court authorized to sentence such persons to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases.

Section 2. No person, convicted of a crime punishable in the discretion of the court, under the provisions of this act, with imprisonment in a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life, shall be so sentenced until (1) a complete psychiatric examination shall have been made of him through the facilities of the Department of Welfare, as hereinafter provided, or by a psychiatrist designated by the court, the results of whose examination shall be transmitted to and accepted by the Department of Welfare in lieu of an examination made through its own facilities, and (2) a complete written report thereof shall have been submitted to the court. Such report shall include all facts and findings necessary to assist the court

Psychiatric examinations of such persons required before imposition of such sentence.

Report of examination.