

Act of June 24, 1939, P. L. 872, amended by adding, immediately following section 710.1 thereof, a new section numbered 710.2.

Section 1. The act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," is hereby amended by adding, immediately following section seven hundred ten *point one thereof, a new section to read as follows:

*Section **710.2 Assault by Life Prisoner.—Every person who has been sentenced to imprisonment for life in any penal institution located in this Commonwealth, and whose sentence has not been commuted, who commits an assault with intent to kill upon another with a deadly weapon or instrument, or by any means or force likely to produce great bodily injury, is guilty of a felony, and, upon conviction thereof, shall be sentenced to suffer death in the manner provided by law, or to undergo imprisonment for life, at the discretion of the jury trying the case, which shall fix the penalty by its verdict. The court shall impose the sentence so fixed as in other cases. In cases of pleas of guilty, the court shall, at its discretion, impose sentence of death or imprisonment for life. The clerk of the court wherein such conviction takes place shall, within ten (10) days after such sentence of death, transmit a full and complete record of the trial and conviction to the Governor. In the event the jury shall fix the penalty at death, said punishment shall be inflicted in accordance with the provisions of the act, approved the nineteenth day of June, one thousand nine hundred thirteen (Pamphlet Laws 528), relating to death sentences imposed for the crime of murder of the first degree.*

Act effective immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 404

AN ACT

To repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision

*"point one" omitted in original.
** "710.1" in original.

of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized sub-division thereof."

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

Section 1. The act, approved the seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized sub-division thereof," is hereby repealed. Act of April 7, 1925, P. L. 188, repealed.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

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No. 405

AN ACT

To repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

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

Section 1. The act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (Pamphlet Laws 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein," is hereby repealed. Act of April 27, 1925, P. L. 304, repealed.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE