

## No. 626

## AN ACT

To further amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by changing existing law for the commitment of persons who become insane after the death penalty is fixed or death sentence imposed.

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

The Mental Health Act of 1951.

Section 1. Subsection (a) of section three hundred forty-four of the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Pamphlet Laws 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," as amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2053), is hereby further amended to read as follows:

Subsection (a), section 344, act of June 12, 1951, P. L. 533, amended January 14, 1952, P. L. 2053, further amended.

Section 344. Petition for Commitment of Prisoner or Person Released on Bail.—

(a) Petition for the commitment of—

(1) Any person detained in any penal or correctional institution who is thought to be mentally ill or in such condition that he requires care in a mental hospital, or who is thought to be a mental defective, *except as provided in clause (3) hereof.*

(2) Any person charged with a crime and released on bail pending trial who is thought to be mentally ill or a mental defective may be made to the court under the order of which such person is detained or which has jurisdiction of the charge.

(3) *Any person whose penalty for crime has been fixed at death by a court or jury, or who has been sentenced to death, and it shall appear that such person is insane and such insanity shall have occurred since the penalty was fixed or sentence imposed. The term "insanity," as used in this clause, shall mean that such person does not have capacity to understand the nature and object of the proceedings against him, to comprehend his own condition in reference to such proceedings, to understand the nature of the punishment to be inflicted upon him, and to confer with his counsel with reference thereto.*

Act effective  
immediately.

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

APPROVED—The 31st day of May, A. D. 1956.

GEORGE M. LEADER

No. 627

AN ACT

Amending the act of May one, one thousand nine hundred thirty-three (Pamphlet Laws 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the reconveyance or disposition of real property acquired for certain designated purpose.

The Second Class  
Township Code.

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

Section 701, act of May 1, 1933, P. L. 103, reenacted, amended and revised July 10, 1947, P. L. 1481, amended by adding a new clause III.

Section 1. Section 701, act of May one, one thousand nine hundred thirty-three (Pamphlet Laws 103), known as "The Second Class Township Code," reenacted, amended and revised July ten, one thousand nine hundred forty-seven (Pamphlet Laws 1481), is amended by adding, at the end thereof, a new clause to read:

Section 701. Suits; Property.—Any township of the second class may—

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*III. When real property has been dedicated, deeded or devised to a township to be used for a designated purpose and the real property is accepted and used for that purpose, or the real property is not used for the purpose designated for a period of ten years or more, and the township supervisors determine that it is not possible or not desirable for the best interest of the township to use the real property for the purpose designated, the township supervisors, with the prior approval of the court of quarter sessions, may, by ordinance, reconvey to the original owners or their successors, heirs or assigns, or otherwise dispose of the real property free and clear of any public right.*

APPROVED—The 31st day of May, A. D. 1956.

GEORGE M. LEADER