

No. 411.

AN ACT

To amend section seventy-five of an act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws, three hundred and eighty-two), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment, at the discretion of the jury, or of the court, as the case may be.

Section 1. Be it enacted, &c., That section seventy-five of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws, three hundred and eighty-two), entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth," is hereby amended to read as follows:

Section 75. That every person convicted of the crime of murder of the first degree [his aiders, abettors and] [counselors] shall be sentenced to suffer death [by hanging by the neck; and it] *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, where it determines the crime to be murder of the first degree, shall, at its discretion, impose sentence of death or imprisonment for life.* It shall be the duty of the clerk of the court wherein such conviction takes place, and he is hereby required, within ten days after such sentence of death, to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth.

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Crimes.

Murder.

Section 75 of act
of March 31, 1860
(P. L. 382),
amended.

Punishment for
murder of first
degree.

Record to be trans-
mitted to Govern-
or.

Repeal.

APPROVED—The 14th day of May, A. D. 1925.

GIFFORD PINCHOT.