

No. 199

## AN ACT

To amend the title of and the act, approved the twenty-eighth day of April, 1887 (Pamphlet Laws 63), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by correcting the name of said institution and of the governing board thereof, and changing the age limit of persons who may be committed to and detained therein.

Pennsylvania  
Industrial  
School.

Title, act of April  
28, 1887, P. L.  
63, amended.

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

Section 1. The title of the act, approved the twenty-eighth day of April, 1887 (Pamphlet Laws 63), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," is hereby amended to read as follows:

Amended title.

## An Act

In relation to the imprisonment, government and release of [convicts in the Pennsylvania Industrial Reformatory at Huntingdon] *inmates in the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.*

Section 2, said  
act, as amended  
by act of May  
26, 1891, P. L.  
130, further  
amended.

Section 2. Section 2 of said act, as amended by the act, approved the twenty-sixth day of May, 1891 (Pamphlet Laws 130), is hereby further amended to read as follows:

Board of Trustees  
to have charge  
and management  
of school.

Section 2. The [said board of managers shall, when appointed as aforesaid,] *Board of Trustees of the Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania,* shall have the charge and management of the [said Reformatory] *school.* They shall appoint a general superintendent, chaplain and physician, and shall have power to remove them for causes impairing their faithful and intelligent administration of their office, after opportunity shall be given the officer so charged to be heard upon written charges. All other officers and employes shall be appointed and selected by the general superintendent, and shall be reported to, and confirmed by the said board of [managers] *trustees* at their next stated meeting. It shall require at least the votes of [three managers] *six trustees* to confirm any of said appointments, and upon report of the failure of any appointee to receive the [three] *six* votes required to confirm his appointment, he shall be immediately discharged by the superintendent. The general superintendent shall have the power to remove any employe appointed by him, at his pleasure, and all such subordinate officers shall be appointed only after rigid examinations as to their education, trade, knowledge, moral character and fitness for the care and custody of those persons who may be

Appointment  
and removal of  
principal officers.

Appointment and  
removal of sub-  
ordinate officers.

Examination of  
subordinate  
officers.

assigned to the instruction and guardianship of said [Reformatory] school. The annual compensation of the general superintendent, the several officers and other employes, shall be fixed annually, at their first stated meeting after the first day of January of each year, by the board of [managers] trustees in their discretion.

Compensation of officers.

Section 3. \*Sections 3 to 14, inclusive, of said act are hereby amended to read as follows:

Sections 3 to 14, inclusive, said act, amended.

Section 3. The board of [managers] trustees shall examine all the accounts and expenditures, with the vouchers for the same, relating to the business of the [reformatory] school at least once each quarter year, and shall certify the same, with their approval or disapproval, to the Governor. And they shall, at least once in each year, report to the Legislature, through the Governor, the condition of the said [reformatory] school, their proceedings in regard to inmates, with a detailed statement of all moneys expended, together with such recommendations as they shall deem proper.

Trustees to examine all accounts and expenditures and report quarterly to Governor.

Annual report to Legislature.

Section 4. Any court in this Commonwealth, exercising criminal jurisdiction, may sentence to the said [reformatory] school any male criminal, between the ages of fifteen and [twenty-five] twenty-one years and not known to have been previously sentenced to a State prison, *State penitentiary, State reformatory, or to an industrial school of reformatory grade* in this or any other State or country, upon the conviction in such court of such male person of a crime punishable under existing laws in a State prison, *State penitentiary, State reformatory, or to an industrial school of reformatory grade*. And the said board of [managers] trustees shall receive and take into said [reformatory] school all male prisoners of the class aforesaid, who shall be legally sentenced on conviction as aforesaid; and all existing laws requiring the courts of this Commonwealth to sentence to the State prison, *State penitentiary, State reformatory, or to an industrial school of reformatory grade* male prisoners convicted of any criminal offense between the ages of fifteen and [twenty-five] twenty-one years, and not known to have been previously sentenced to a State prison, *State penitentiary, State reformatory, or to an industrial school of reformatory grade* in this Commonwealth, or any other State or country, shall be applicable to the said [reformatory] school, so far as to enable courts to sentence the class of prisoners so last defined to said [reformatory] school and not to a State prison or *State penitentiary*.

Criminal courts authorized to sentence to said school certain male criminals between ages of 15 and 21 years.

Existing laws relative to sentence to State prisons, etc., made applicable to sentences to said school.

Imprisonment in said school must be according to this act.

Section 5. Any person, who shall be convicted of an offense punishable by imprisonment in the Pennsylvania Industrial [Reformatory at Huntingdon] School at

\* "Section" in original.

*Camp Hill, Cumberland County, Pennsylvania* and who, upon such conviction, shall be sentenced to imprisonment therein, shall be imprisoned according to this act and not otherwise.

Sentence to reformatory to be a general sentence to imprisonment in said school.

Term of imprisonment.

Certain convicts in State prisons, etc., may be transferred to said school.

Commutation laws to apply to such convicts.

Clerk of court to furnish record of trial and conviction of each person sentenced to said school.

Sheriff to deliver person sentenced to proper officer of said school.

Section 6. Every sentence to the reformatory, of a person hereafter convicted of a felony or other crime, shall be a general sentence to imprisonment in the *said Pennsylvania Industrial [Reformatory at Huntingdon] School*, and the courts of this Commonwealth imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the board of [managers of the reformatory] *trustees*, as authorized by this act; but such imprisonment shall not exceed the maximum term, provided by law, for the crime for which the prisoner was convicted and sentenced.

Section 7. Whenever there is unoccupied room in the [reformatory] *school*, the board of [managers] *trustees* may make \*requisitions upon the inspectors of State prisons, *State penitentiaries, State reformatories, or industrial schools of reformatory grade*, who shall select such number as is required by such requisition from among the youthful, well-behaved, and most promising convicts in the State prisons, *State penitentiaries, State reformatories, or industrial schools of reformatory grade* of the class described in section four of this act, and transfer them to the [reformatory] *school* for education and treatment under the rules and regulations thereof; and the board of [managers] *trustees* are hereby authorized to receive and detain, during the term of their sentence to the State prison, *State penitentiary, State reformatory, or industrial school of reformatory grade*, such prisoners so transferred; and the laws applicable to convicts in the State prison, *State penitentiary, State reformatory, or industrial school of reformatory grade*, so far as they relate to the commutation of imprisonment for good conduct, and the provisions of this act, shall be applicable to said convicts, when transferred under this section.

Section 8. Every clerk of any court by which a criminal shall be sentenced to the *Pennsylvania Industrial [Reformatory at Huntingdon] School at Camp Hill* shall furnish to the officer having such criminal in charge a record containing the trial and conviction of the defendant; and the clerk of the court shall receive such compensation as is now allowed by law for making and certifying to the record as in other criminal cases.

Section 9. That, when any person has been convicted and sentenced, it shall be the duty of the sheriff of the county in which the person has been so convicted and

\* "requisition" in original.

sentenced, to deliver the said person to the proper officer or officers of said [reformatory institution at Huntingdon] *Pennsylvania Industrial School at Camp Hill*.

Section 10. The board of [managers] *trustees* shall have the power to transfer temporarily to the State prison, *State penitentiary, State reformatory, or industrial school of reformatory grade* of the proper district any prisoner who, subsequent to his committal, shall be shown to their satisfaction to have been, at the time of his conviction, more than [twenty-five] *twenty-one* years of age, or to have been previously convicted of crime; and may also so transfer any apparently incorrigible prisoner, whose presence in the [reformatory] *school* appears to be seriously detrimental to the well being of the institution. And such [managers] *trustees* may, by written requisitions, require the return to the [reformatory] *school* of any person who may have been so transferred. The said board of [managers] *trustees* shall also have power to make all rules and regulations necessary and proper, and not contrary to the Constitution and laws of this Commonwealth, for the employment, discipline, instruction, education, removal, and absolute, temporary, or conditional release of all convicts in said [reformatory] *industrial school*, and shall have authority to prevent the escape of convicts at all hazards.

Section 11. As the aim and purposes of the industrial [reformatory] *school* is to prevent young first offenders against the laws of the State from becoming criminals, and to subject them while in custody in this [reformatory] *school* to such remedial, preventative reformatory, training, and instruction as may make them honest, reputable citizens, the board of [managers] *trustees* is authorized and hereby empowered to establish, by rules and regulations governing the superintendent and other officers, such a system of discipline for the inmates as will secure to each instruction in the rudiments of an English education, and in such manual, handicraft, skilled vocations as may be useful to each of the inmates after his discharge from the [reformatory] *school*, whereby said person will be able to obtain self-supporting employment. The contract system of labor shall not exist in any form whatever in said [reformatory] *school*, but the prisoners shall be employed by the Commonwealth. It shall be the duty of said board of [managers] *trustees* to maintain such control over all prisoners committed to their custody as shall prevent them from committing crime, best secure their self-support, and accomplish their reformation. When any prisoner shall be received into the [reformatory] *school* upon direct sentence thereto, they shall cause to be entered in a register the date of such admission, the name, age, nativity, and nationality of the prisoner, with such facts as can be

Certain prisoners in said school may be transferred temporarily to State prison, etc.

Return of said prisoners to said school.

Trustees empowered to make necessary rules and regulations.

Aim and purposes of said school.

Trustees authorized and empowered to establish a system of discipline.

Contract system of labor prohibited in said school.

Register of date of admission, name, age, etc., to be kept.

Improvement, etc., to be carefully noted and recorded.

Uniform plan for keeping a record of conduct, etc., as the condition of increased privilege or release, to be adopted.

Abstract of record of each case to be made up semi-annually, considered by trustees, and filed with Secretary of the Commonwealth.

Contents of such abstract.

Prisoners to be informed of their standing, and to be allowed to confer with trustees.

Release from imprisonment.

ascertained of parentage, of early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and, based upon these, \*an estimate of the then present condition of the prisoner, and the best probable plan of treatment. Upon such register shall be entered, quarterly, yearly, or oftener, minutes of observed improvement, or deterioration of character, and notes as to methods and treatment employed; also all orders, or \*\*alterations, affecting the standing or situation of such prisoner, the circumstances of the final release, and any subsequent facts of the personal history, which may be brought to their knowledge.

Section 12. The board of [managers] *trustees* shall, under a system of marks or otherwise, fix upon a uniform plan, under which they shall determine what number of marks or what credit shall be earned by each prisoner sentenced under the provisions of this act, as the condition of increased privilege, or of release from their control, which system shall be subject to revision from time to time. Each prisoner so sentenced shall be credited for good personal demeanor, diligence in labor and study, and for results accomplished, and be charged for derelictions, negligences and offenses. An abstract of the record in the case of each prisoner, remaining under control of the said board of [managers] *trustees*, shall be made up semi-annually, considered by the [managers] *trustees* at a regular meeting and filed with the Secretary of the Commonwealth; which abstract shall show the date of admission, the age and the then present situation, whether in the [reformatory] *school*, State prison, *State penitentiary*, *State reformatory*, or an *industrial school of reformatory grade* [asylum], or elsewhere, whether any and how much progress of improvement has been made, and the reason for release, or continued custody as the case may be. The [managers] *trustees* shall establish rules and regulations by which the standing of each prisoner's account of marks or credit shall be made known to him, as often as once a month and oftener, if he shall at any time request it, and may make provisions by which any prisoner may see and converse with some one of said [managers] *trustees* during every month. When it appears to the said [managers] *trustees* that there is a strong or reasonable probability that any prisoner will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society, then they shall issue to such prisoner on absolute release from imprisonment, in the form provided in section fourteen of this act, and shall certify the fact of such release and the grounds thereof to the Governor; and the Governor may

\* "and" in original.

\*\* "alteratiou" in original.

thereupon in his discretion restore such person to citizenship. But no petition or other form of application for the release of any prisoner shall be entertained by the [managers] *trustees*. Nothing herein contained shall be construed to impair the power of the Governor to grant a pardon or commutation in any case.

Section 13. If, through oversight or otherwise, any person be sentenced to imprisonment in the said [reformatory] *school* for a definite period of time, said sentence shall not for that reason be void, but the person so sentenced shall be entitled to the benefit and subject to the liabilities of this act, in the same manner and to the same extent as if the sentence had been in the terms required by section six of this act, and, in such case, said [managers] *trustees* shall deliver to such offender a copy of this act and written information of his relation to said [managers] *trustees*.

Sentence for a definite period not to be void for that reason, but provisions of this act to be applicable.

Section 14. When, in the opinion of the superintendent, after due investigation, and obtaining the opinion of the physician and moral instructor, any person confined in the [reformatory] *said school* has given such evidence, as is deemed reliable and trustworthy, that such person has been so improved by his treatment in said [reformatory] *school* as to justify his liberation, a certificate of the fact and the opinions of the superintendent, doctor and moral instructor, under their hands and seals, shall be submitted to the board of [managers] *trustees*; when, after due notice to all the [managers] *trustees* at the next meeting thereafter, said board shall consider the case of the person so presented; and when the said board shall determine that such person is entitled to his discharge, said board shall cause a record of the case of such person to be made, showing the date of his commitment to the [reformatory] *school*, the time he has been detained, the cause thereof, a copy of his sentence, the copy of the certificate as aforesaid of the officers and the action thereon of the board, said record to be signed by the [managers] *trustees* and sent to the judge of the court that sentenced said persons to the [reformatory] *school*, who shall, after consulting the district attorney and no further reason for detention existing, send, under the seal of the court, to the said board, an order to discharge the said person from said [reformatory] *school*.

Proceedings for obtaining a discharge from said school.

Section 4. Section 17 of said act, as amended by the act, approved the twenty-fifth day of April, 1929 (Pamphlet Laws 697), is hereby further amended to read as follows:

Section 17. The duly authorized agent of the Department of Revenue shall cause to be kept an account of the cost of the support and maintenance of each convict with the county from which he is sent to the [reforma-

Section 17, said act, as amended by act of April 25, 1929, P. L. 697, further amended.

Account of cost of support and maintenance of convicts to be kept, and sent monthly to county chargeable, which shall pay same.

tory] *industrial school*, which said account shall monthly be approved by the said duly authorized agent of the Department of Revenue, and, if the same be true and correct, shall be sworn to by said agent, and shall, promptly after the last day of each calendar month, be sent to the commissioners of the proper county, together with an order, payable to the Department of Revenue, drawn on the county treasurer of the proper county, who shall accept and promptly pay the amount thereof to the Department of Revenue to be by it transmitted to the State Treasurer: Provided, That the aforesaid account and order, rendered as of the thirty-first day of July, one thousand nine hundred twenty-nine, shall include all amounts due the Commonwealth from the counties which shall have accrued since the last prior billing of the counties by the board of trustees of the said [reformatory] *industrial school*.

Proviso.

Section 18, said act, amended.

Governor to be notified when school fully organized for reception, detention, and management of convicts.

Act effective June 1, 1951.

Section 5. Section 18 of said act is hereby amended to read as follows:

Section 18. As soon as the board of [managers] *trustees* shall be fully organized with a general superintendent, other officers and employes, and the ground and buildings of the [reformatory] *industrial school* shall be fitted and furnished for the proper reception, detention, and management of convicts, according to the provisions of this act, they shall report the same in writing to the Governor of the Commonwealth, who shall forthwith make public proclamation of these facts. Thereupon sections four, five, six, and seven of this act shall go into effect and not sooner.

Section 6. The provisions of this act shall become effective the first day of June, one thousand nine hundred fifty-one.

APPROVED—The 30th day of June, A. D. 1951.

JOHN S. FINE

No. 200

AN ACT

To further amend subsection (a) of section 1103 of the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 905), \*entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon

\* "entitled" in original.