

of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Section 16. Effective Date.—This act shall become effective on the first day of January, one thousand nine hundred fifty-two.

APPROVED—The 26th day of September, A. D. 1951.

JOHN S. FINE

No. 390

AN ACT

To further amend section 506 of 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," \*by providing for the increase or decrease of support orders in bastardy cases.

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

Section 1. Section 506 of 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," as amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (Pamphlet Laws 306), is hereby further amended to read as follows:

Section 506. Fornication and Bastardy.—Whoever commits fornication, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars (\$100), for the use of the institution district where the offense was committed.

It shall be sufficient to convict an unmarried woman to show that a child was born of her body.

Any man charged by an unmarried woman with being the father of her bastard child, shall be the reputed father and if she persists in the charge in the time of her extremity of labor, or afterwards in open court, the same shall be given in evidence in order to convict such person of fornication. Such man, being thereof convicted, shall be sentenced, in addition to the fine aforesaid, to pay the expenses incurred at the birth of such child, and if such child is born dead, or shall die during the continuance of the order for the maintenance of said child, to also pay the reasonable funeral expenses thereof, and to give security, by one or more sureties, and in such sum as the court shall direct, to the institution district where such child was born, to perform such

"The Penal Code."

Section 506, act of June 24, 1939, P. L. 872, as amended by act of May 21, 1943, P. L. 306, further amended.

\* "by" omitted in original.

order for the maintenance of the said child, as the court shall direct.

*After a hearing on the petition of any interested party, such order for the maintenance of such child may be increased or decreased from time to time by said court before or after the expiration of the term at which such man was sentenced.*

If a bastard child is begotten out of the State, and born within the State, or begotten within one of the counties of this State and born in another, in the latter case the prosecution of the reputed father may be in the county where \*the bastard child was born or begotten, and like sentence shall be passed as if the child had been born and begotten in that county; and in the former case like sentence shall be passed, except the fine for fornication.

APPROVED—The 28th day of September, A. D. 1951.

JOHN S. FINE

No. 391

AN ACT

To further amend clause (2) of section 12 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

State employes' retirement system.

Clause (2) of section 12, act of June 27, 1923, P. L. 858, as last amended by act of April 25, 1949, P. L. 743, further amended.

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

Section 1. Clause (2) of section 12 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (Pamphlet Laws 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights

\* "a" in original.