

## AN ACT

To amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, one thousand two hundred six), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing the manner of creation of townships of the first class.

Title to sub-division (c), article 2, and sections 210, 211, 213, 214, 215, 216, 218, and 219 of act of June 24, 1931 (P. L. 1206), amended.

Section 1. Be it enacted, &c., That the title to sub-division (c) of article two, and sections 210, 211, 213, 214, 215, 216, 218, and 219 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, one thousand two hundred six), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," are hereby amended to read as follows:

(c) Creation of Townships of the First Class by  
[Division and] Consolidation

Section 210. Manner in Which Townships of the First Class May Be Created.—The court of quarter sessions may, upon the presentation of petitions as herein-after provided, create new townships of the first class—

[(a) By the division of a township of the first class into two townships, or

(b) By] *by* the consolidation of two or more townships of the first class located in the same county.

Section 211. Petitions.—(a) Petitions for the creation of townships, as provided in the preceding section, shall be signed [either (a) by the owners of real property representing at least twenty-five per centum of the assessed valuation of the township or each of the townships affected by such division or consolidation, as the case may be, or (b)] by [registered voters] *electors* equal in number to at least [twenty-five] *five* per centum of the highest total vote cast for candidates for any office in the [township or] townships affected [as the case may be] at the last preceding municipal election. Such petitions shall be sworn to and subscribed by at least three of the signers.

[(c)] (b) Petitions for the consolidation of townships may also be presented when signed by a majority of the commissioners of each of the townships proposed to be consolidated and sworn to and subscribed by at least one commissioner from each such township.

Such petitions shall set forth the name of any proposed new township, and shall specify the reasons for such [division or] consolidation. Each such petition shall be accompanied by an accurate map or plot, prepared by an engineer, showing [the lines of such town-

ship and the division line in case where a township is divided, or] the lines of the new township, [where two or more townships are to be consolidated] and the present division lines between such townships. Where natural marks are on such lines they shall also be shown.

Section 213. Exceptions; Confirmation Absolute of Petition.—Within thirty days after the filing of such petition, any taxpayer of the [township or] townships affected [as the case may be] may file exceptions to such petition, questioning the sufficiency of the number of signers, or the legality of any signatures, or the accuracy or sufficiency of the map or plot attached thereto. The court, upon the filing of any exceptions, shall fix a day for hearing of which such notice shall be given as the court may direct. At such hearing, the court shall hear all parties interested and their witnesses. If the exceptions in the opinion of the court are sustained, and the court deems the petition not amendable, it shall dismiss the petition, otherwise it shall confirm the same absolutely, after any amendments permitted by the court have been made.

Section 214. Elections.—When any petition is confirmed absolutely, the court shall order an election to be held on the question of the [division or] consolidation of such [township or] townships, which shall be held on the day of the next general or municipal election occurring at least sixty days after such order of court. Such election shall be held at the regular polling places in the [township or] townships affected. [as the case may be] At any such election all of the qualified electors of the [township or] townships affected by such [division or] consolidation shall have the right to vote. The ballots at such election shall be furnished by the county commissioners and the question to be placed thereon shall be framed and printed on the ballots as provided by the election laws of the Commonwealth.

Section 215. Notice of Election.—A constable of the [township or] townships affected, [as the case may be] or if there be no constable, then one of the commissioners designated by the court, shall give at least fifteen days' notice of the time and place of holding such election by posting not less than six written or printed handbills in public places in each of such townships. The notice of election shall contain the reasons for the [division or] consolidation of such [township or] townships, as set forth in the petition presented to the court.

Section 216. Return of Election; Decree.—The election officers, after the polls have been closed, shall count the ballots and certify the number of votes cast for and against such [division or] consolidation to the clerk of the court of quarter sessions, who shall tabulate and compute the same, and lay the result before the court. If it

shall appear that a majority of the votes cast in [such townships or in] each of the townships affected are in favor of the [division of a township or the] consolidation of two or more townships, [as the case may be] the court shall order and decree the creation of the new township agreeably to the name and lines set forth in the petition, and the government of the new township shall be organized and become effective on the first Monday of January next succeeding such election, at which time the terms of office of township officers in such [township] *townships* shall cease and terminate. If a majority of the votes cast in any [such township or in any] of the townships affected are against the [division or] consolidation of such [township or] townships, no further action shall be had upon said proceedings. No new proceeding shall be entertained by the court for a period of two years.

Section 218. Classification of [Old and] New Townships.—Townships created by the consolidation [or division] of townships, as herein provided, shall be and remain townships of the first class, unless and until, by subsequent proceedings in accordance with laws relating to townships of the second class, any such township shall be reestablished or proclaimed to be a township of the second class.

Section 219. Costs.—When a township of the first class is created as hereinbefore provided, the costs of the proceedings shall be paid by such township, and where any petition is dismissed or a majority of the electors of any one or more townships shall vote against the [division or] consolidation of any such township, the costs of the proceedings shall be paid by the [petitioners] *townships proposed to be consolidated*.

Section 2. That section 220 of said act is hereby repealed.

APPROVED—The 29th day of April, A. D. 1937.

GEORGE H. EARLE

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No. 134

AN ACT

To amend sections forty and forty-seven of the act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet Laws, nineteen), entitled "An act relating to warehouse receipts," providing how warehouse receipts may be negotiated.

Warehouse  
receipts.

Section 1. Be it enacted, &c., That sections forty and forty-seven of the act, approved the eleventh day of March, one thousand nine hundred and nine (Pamphlet