

having authority to serve warrants in the county wherein the person charged resides, or may be found, to serve such warrant.

2. The peace officer serving such warrant shall take the defendant before a magistrate, within the city, borough, incorporated town, or township in which the defendant is found, or if there is no person holding the office of magistrate in such city, borough, incorporated town, or township, then the defendant shall be taken before a magistrate in any adjoining city, borough, incorporated town, or township, who shall take bail, either for the defendant's appearance before the magistrate who issued the warrant, or for his appearance for trial in the proper court, if a summary hearing is waived.

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Section 2. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 27th day of July, A. D. 1955.

GEORGE M. LEADER

No. 98

AN ACT

Amending the act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing boroughs with approval of the court of quarter sessions to improve and maintain neglected burial grounds.

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

The Borough
Code.

Section 1. Section two thousand eight hundred five, act of May four, one thousand nine hundred twenty-seven (Pamphlet Laws 519), known as "The Borough Code," reenacted, amended and revised July ten, one thousand nine hundred forty-seven (Pamphlet Laws 1621), is amended to read:

Section 2805, act
of May 4, 1927,
P. L. 519, re-
enacted, amended
and revised July
10, 1947, P. L.
1621, further
amended.

Section 2805. Orders of Court as to Neglected Cemeteries.—(a) Authority is vested in the court of quarter sessions to make such orders for the regulation of burial grounds, situated in and adjacent to boroughs, as the public good shall require; and when any burial ground shall become so neglected as, in the opinion of the court, to become a public nuisance, the court may direct the removal of the dead therefrom by the borough authorities to some other burial ground.

(b) *When any burial ground situated in a borough shall become so neglected as, in the opinion of the court of quarter sessions, to become a public nuisance such*

court, upon petition of the borough authorities and after such notice as is required in subsection (c) of this section, may authorize the borough without the removal of any dead from the burial ground to improve and maintain the burial ground by the restoration, improvement or removal of some or all of the gravestones, posts, railings, fences or other structures and improvements. If the court authorizes the removal of gravestones, it shall direct the borough to erect and maintain at a prominent location in the burial ground a suitable memorial of stone, bronze or similar material having inscribed thereon the available names and dates of all persons in the burial ground the gravestones for whom have been authorized to be removed. The petition filed by the borough authorities shall include such facts as to the ownership of the burial ground as are known to the borough and shall set forth the proposed plans of the borough for the improvement of the burial ground including, if it proposes to remove the gravestones, a description of the memorial it intends to erect.

(c) Whenever the borough authorities shall file a petition as hereinbefore provided, the court shall direct such notice of the filing of the petition to be given in such manner as it shall deem appropriate and shall afford the owner or owners of the burial ground, or the owners of any burial rights therein, if any appear, an opportunity to be heard before making an order authorizing the borough authorities to improve and maintain the burial ground.

APPROVED—The 27th day of July, A. D. 1955.

GEORGE M. LEADER

No. 99

AN ACT

Amending the act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further authorizing fishing in waters not stocked with trout.

The Fish Law
of 1925.

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

Section 1. Section twenty, act of May two, one thousand nine hundred twenty-five (Pamphlet Laws 448), known as "The Fish Law of one thousand nine hundred and twenty-five," amended August three, one thousand nine hundred fifty-one (Pamphlet Laws 1148), is amended to read: