

ment, or for the furnishing of water or sewer services and for the removal of nuisances and for the recovery of which the action of assumpsit was brought. Any such action in assumpsit shall be commenced *either* within three years after the completion of the improvement from which said claim arises *or within three years after the water or sewer rates or the cost of abating a nuisance first became payable.*

Limitation of
action.

APPROVED—The 8th day of December, A. D. 1959.

DAVID L. LAWRENCE

—
No. 639

AN ACT

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

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

Public School
Code of 1949.

Section 1. Section 263, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended August 19, 1953 (P. L. 1102), is amended to read:

Section 263, act
of March 10,
1949, P. L. 30,
amended August
19, 1953, P. L.
1102, further
amended.

Section 263. Petitions and Elections for Mergers; Returns; When Effective.—Upon the approval of said plans by the State Council of Education, it shall be the duty of the county board of school directors to prepare and present petitions for such mergers to the court of common pleas of the county. In case such districts or parts of districts are situated in two or more counties, the petitions shall be presented to the court of common pleas of the county in which the largest part in area of the land affected is situated, which court shall have exclusive jurisdiction over the matter.

Whenever the State Council of Education approves said plans, at least one hundred days prior to a general or municipal election, and the county board of school directors fail to present petitions to the court for submission of the question at such election, then any elector of a school district involved may present such a petition to the court, signed by at least fifteen per cent of the electors in each school district, for submission of the question at any subsequent general or municipal election.

The petition for any such merger shall request the submission of the question of such merger to the electors

of each district affected thereby at the next general or municipal election to be held at least ninety (90) days after the presentation of said petition. The question to be submitted to the electors shall be framed by the court and be by it certified to the county commissioners for submission to the electors of each district affected thereby. Such submission shall be in accordance with the laws of this Commonwealth relating to the submission of similar questions.

If a majority of the electors of each school district voting therein shall be in favor of merger, as shown by the returns of the election, a certificate of the returns shall be filed with the Superintendent of Public Instruction, the prothonotary of the court of common pleas, the county board of school directors, and the board of school directors of each of said school districts. The merger shall become effective on the first Monday in July next succeeding the election. The merger shall be effective as to only those districts in which a majority of the electors voting on the question shall have assented to the merger. If the electors do not assent to the merger, *the same or revised plans* [shall] *may* be submitted within five years in accordance with the foregoing procedure.

APPROVED—The 8th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 640

AN ACT

To ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

Prothonotary
fees in counties
of third class.

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

Fees.

Section 1. The fees to be received by the prothonotary of the court of common pleas of this Commonwealth in counties of the third class shall be as follows:

Docketing every complaint or agreement for an amicable action in assumpsit or trespass where no writ issues, and entering return of service where service made, not more than three names, \$3.50, and for each additional name, \$1.00, reinstatement of complaint, \$2.00.

Issuing every writ of summons in assumpsit and trespass, docketing same and entering return of service, not more than three names, \$3.50, and for each additional name, \$1.00. Docketing complaint where action commenced by writ, \$2.00, reissuance of writ, \$2.00.