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**LEGISLATURE OF PENNSYLVANIA.**

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**FILE OF THE HOUSE OF REPRESENTATIVES.**

No. **1045** Session of  
1919.

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INTRODUCED BY MR. SHAFFER, MARCH 24, 1919.

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REFERRED TO COMMITTEE ON MUNICIPAL CORPORATIONS,  
MARCH 25, 1919.

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**AN ACT**

To amend sections one two and three of article five chapter two of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

1 Section 1 *Be it enacted by the Senate and House of Repre-*  
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*  
3 *met and it is hereby enacted by the authority of the same That*  
4 *section one of article five chapter two of an act ap-*  
5 *proved the fourteenth day of May one thousand nine hun-*  
6 *dred and fifteen (Pamphlet Laws three hundred twelve)*  
7 *entitled "An act providing a system of government for*  
8 *boroughs and revising amending and consolidating the law*  
9 *relating to boroughs" which reads as follows*

1 "Section 1 The court of quarter sessions may with  
2 the concurrence of the grand jury and upon application in  
3 writing of two-thirds of the taxable inhabitants of any  
4 borough annul or alter the charter of such borough" is  
5 hereby amended to read as follows

6 Section 1 The several courts of quarter sessions within  
7 this Commonwealth shall have power upon petition of two-  
8 thirds of the taxable inhabitants of any borough hereto-  
9 fore incorporated to decree the annulment of the charter  
10 of such borough The petition for the annulment shall set  
11 forth that the petitioners desire that the territory em-  
12 braced within such borough shall become a township or  
13 shall revert to and become a part of the township from  
14 which it was taken

15 Section 2 That section two article five chapter two of  
16 said act which reads as follows

17 "Section 2 The application shall be signed by the  
18 petitioners within three months immediately preceding its  
19 presentation to the court Public notice of the intended  
20 application for such annulment or amendment shall be  
21 given in at least one newspaper of the county for a  
22 period of not less than thirty days immediately before the  
23 application shall presented" is hereby amended to read as  
24 follows

25 Section 2 That upon presentation of such application  
26 for annulment as aforesaid to the court it shall be filed  
27 with the clerk and notice thereof shall be given in at  
28 least one newspaper of the proper county for a period  
29 of not less than thirty (30) days immediately preceding

1 the date of such hearing and during which time excep-  
2 tions may be filed to such application by any person in-  
3 terested and at such hearing the court shall make a full  
4 investigation of the case and if it shall find that the  
5 conditions prescribed by law have been complied with and  
6 shall believe that it is expedient to grant the prayer of  
7 the applicants shall grant the same and make a decree  
8 accordingly and said application and decree shall be re-  
9 corded in the recorder's office of the proper county

10 Section 3 That section three of article five chapter  
11 two of said act which reads as follows

12 "Section 3 The application shall be laid before the  
13 grand jury at the same term of court when presented  
14 if the same can be conveniently done and in no case  
15 later than the next subsequent term of the court If the  
16 grand jury shall find that the conditions prescribed by  
17 this article have been complied with and shall believe it  
18 expedient to grant the prayer of the petitioners they shall  
19 certify the same to the court which certificate shall be  
20 entered of record No further proceedings shall be had un-  
21 til the succeeding term of the court at which term the  
22 judgment of the grand jury may be confirmed If the de-  
23 cree of the court shall be in conformity with the prayer  
24 of the petitioners the petition and decree shall be re-  
25 corded in the recorder's office of the county at the ex-  
26 pense of the applicants who shall pay all other expenses  
27 and costs in connection with said application" is hereby  
28 amended to read as follows

1 Section 3 That upon the entry and recording of such  
2 decree the lands embraced within the limits of such bor-  
3 ough whose charter is annulled shall thereupon become a  
4 township or if such petitioners elect such land shall re-  
5 vert to and become a part of the township from which  
6 it was taken and be under and subject to its govern-  
7 ment and control Provided however that should the peti-  
8 tioners elect to have said land revert to and become a  
9 part of the township from which it was taken any in-  
10 debtedness of such borough shall be paid from the taxes  
11 assessed and collected from that portion of said township  
12 formerly included within the limits of such borough

13 All costs and expenses incident to the proceedings for  
14 the annulment of the charter as aforesaid shall be paid  
15 by the petitioners