

## LEGISLATURE OF PENNSYLVANIA.

## FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1173** Session of  
**1919.**

INTRODUCED BY MR. SOWERS, APRIL 1, 1919.

REFERRED TO COMMITTEE ON MUNICIPAL CORPORATIONS,  
APRIL 1, 1919.

## AN ACT

To amend section two of an act approved the twenty-third day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred thirty) entitled "An act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinknig fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class"

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 two of an act approved the twenty-third day of*  
5 *May one thousand eight hundred and seventy-four (Pamphlet*  
6 *Laws two hundred thirty) entitled "An act dividing the*  
7 *cities of this State into three classes regulating the pas-*

1 sage of ordinances providing for contracts for supplies  
2 and work for said cities authorizing the increase of in-  
3 debtedness and the creation of a sinking fund to redeem  
4 the same defining and punishing certain offences in all of  
5 said cities and providing for the incorporation and govern-  
6 ment of cities of the third class which reads as follows  
7 "Section 2 Wards in cities may be divided or new  
8 wards therein created by the court of quarter sessions  
9 of the proper county on application thereto for that pur-  
10 pose by the petition of at least one hundred qualified  
11 electors thereof or of the councils of such city and  
12 upon such petition praying for a division of a ward or  
13 for the erection of a new ward out of parts of two  
14 or more wards the said court shall appoint five im-  
15 partial men to inquire into the propriety of granting  
16 the prayer of councils and it shall be the duty of the  
17 commissioners so appointed or any four of them to ex-  
18 amine the premises to make a draft of the ward to  
19 be divided showing the division thereof or of the new  
20 ward proposed to be created as the case may be and  
21 they shall make report thereof to the said court of  
22 quarter sessions at its next term together with their  
23 opinion of the same and at the term after that at  
24 which the report shall be made the court shall take  
25 such order thereupon as to them shall appear just and  
26 reasonable If the commissioners report favorably to such  
27 division or creation the court shall order a vote of the  
28 qualified electors to be taken on the question of a di-  
29 vision thereof and shall appoint an election to be held

1 on the day of the municipal or general election when  
2 the election officers of the ward or wards proposed to  
3 be divided shall hold such election at the places and in  
4 the manner provided by law for the regulation of municipi-  
5 pal elections It shall be the duty of the mayor of  
6 such city to give at least fifteen days' notice by advertise-  
7 ments in at least three newspapers if so many be  
8 printed in said city and by handbills posted in the most  
9 public places in said ward or wards that such an elec-  
10 tion will be held and of the time and place of hold-  
11 ing the same The judges and inspectors of election of  
12 said ward or wards shall receive from the electors  
13 thereof written or printed tickets having on the outside  
14 the word "division" and on the inside the words "against  
15 division" or "for division" and deposit the same in a  
16 box to be provided for that purpose The officers of such  
17 election shall count the said tickets in the manner pre-  
18 scribed by law and shall forthwith make out a return  
19 showing the number of votes for and against a division  
20 and shall deliver the same to the clerk of the court  
21 of quarter sessions of the proper county within three  
22 days and the said clerk shall record the same and lay  
23 the return before the court at its then next sessions If  
24 it appear that a majority of the votes so taken are  
25 for a division the said court shall thereupon order and  
26 decree a division of the said ward or wards agreeably  
27 to the lines marked out and returned by the commission-  
28 ers and shall number the new wards and shall cause  
29 a certified copy of the whole proceedings to be placed of

1 record among the minutes of councils If a majority of  
2 votes have been against a division no further action shall  
3 be had upon such proceedings nor shall any new ap-  
4 plication for a division of said ward or wards be heard  
5 for three years from the date of such election is hereby  
6 amended to read as follows

7 Section 2 Wards in cities may be divided or new  
8 wards therein created by the court of quarter sessions of  
9 the proper county on application thereto for that purpose  
10 by the petition of at least one hundred qualified electors  
11 thereof or of the councils of such city and upon such  
12 petition praying for a division of a ward or for the  
13 erection of a new ward out of parts of two or more  
14 wards the said court shall appoint five impartial men to  
15 inquire into the propriety of granting the prayer of  
16 councils and it shall be the duty of the commissioners  
17 so appointed or any four of them to examine the  
18 premises to make a draft of the ward to be divided  
19 showing the division thereof or of the new ward proposed  
20 to be created as the case may be and they shall make  
21 report thereof to the said court of quarter sessions at  
22 its next term together with their opinion of the same  
23 and at the term after that at which the report shall  
24 be made the court shall take such order thereupon as  
25 to them shall appear just and reasonable If the com-  
26 missioners report favorably to such division or creation  
27 the court shall order a vote of the qualified electors to  
28 be taken on the question of a division thereof and shall  
29 appoint an election to be held on the day of the

1 municipal or general election when the election officers of  
2 the ward or wards proposed to be divided shall hold  
3 such election at the places and in the manner provided  
4 by law for the regulation of municipal elections It shall  
5 be the duty of the mayor of such city to give at  
6 least fifteen days notice by advertisements in at least  
7 three newspapers if so many be printed in said city  
8 and by handbills posted in the most public places in  
9 said ward or wards that such an election will be held  
10 and of the time and place of holding the same The  
11 judges and inspectors of election of said ward or wards  
12 shall receive from the electors thereof written or printed  
13 tickets having on the outside the word "division" and on  
14 the inside the words "against division" or "for division"  
15 and deposit the same in a box to be provided for that  
16 purpose The officers of such election shall count the said  
17 tickets in the manner prescribed by law and shall forth-  
18 with make out a return showing the number of votes  
19 for and against a division and shall deliver the same to  
20 the clerk of the court of quarter sessions of the proper  
21 county within three days and the said clerk shall record  
22 the same and lay the return before the court at its  
23 then next sessions If it appear that a majority of the  
24 votes so taken are for a division the said court shall  
25 thereupon order and decree a division of the said ward  
26 or wards agreeably to the lines marked out and returned  
27 by the commissioners and shall number the new wards  
28 and shall cause a certified copy of the whole proceedings

1 to be placed of record among the minutes of councils  
2 If a majority of votes have been against a division no  
3 further action shall be had upon such proceedings nor  
4 shall any new application for a division of said ward or  
5 wards be heard for one year from the date of such  
6 election