

whose terms end on the same date shall cast lots to determine who shall serve for a two year term and who shall serve for a four year term. The councilmen to whom the lot shall fall shall be declared to serve a four year term. The secretary of the borough shall certify the results to the appropriate county board of elections. Biennially thereafter, at the municipal election, a sufficient number of councilmen shall be elected, for a term of four years from the first Monday of January next succeeding, to fill the places of those whose terms, under the provisions of this act, shall expire on the first Monday of January next following such election.

APPROVED—The 11th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 223

AN ACT

Amending the act of June 25, 1913 (P. L. 551), entitled "An act to authorize incorporated or unincorporated churches, cemeteries, or burial associations, owning burial-grounds located wholly or in part in any city, township, or borough of this Commonwealth, to purchase other grounds, and to sell and convey in fee simple such portions of their land, not used or conveyed by them for burial purposes, or which may have been reconveyed to them or shall have reverted or become acquired by them, under the terms hereof, or otherwise; and providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth, upon petition of the managers, officers, and other persons vested with the management of said burial-ground, to make orders and decrees for the removal of all bodies interred in such burial-grounds or cemeteries belonging to any incorporated or unincorporated church, cemetery, or burial association; and to provide for the purchase of new lots, the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein, the sale of the ground, and disposition of the proceeds derived from such sale," further regulating the change of location of burial-grounds or portions thereof and removal of bodies by court order.

Cemeteries and
burial grounds.

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

Section 2, act of
June 25, 1913,
P. L. 551,
repealed.

Section 1. Section 2, act of June 25, 1913 (P. L. 551), entitled "An act to authorize incorporated or unincorporated churches, cemeteries, or burial associations, owning burial-grounds located wholly or in part in any city, township, or borough of this Commonwealth, to purchase other grounds, and to sell and convey in fee simple such portions of their land, not used or conveyed by them for burial purposes, or which may have been reconveyed to them or shall have reverted or become acquired by them, under the terms hereof, or otherwise;

and providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth, upon petition of the managers, officers, and other persons vested with the management of said burial-ground, to make orders and decrees for the removal of all bodies interred in such burial-grounds or cemeteries belonging to any incorporated or unincorporated church, cemetery, or burial association; and to provide for the purchase of new lots, the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein, the sale of the ground, and disposition of the proceeds derived from such sale," is repealed.

Section 2. The act is amended by adding, after section 2, a new section to read:

Act of June 25,
1913, P. L. 551,
amended by
adding a new
section 2.1.

Section 2.1. The courts of quarter sessions of the several counties of this Commonwealth, upon petition of the proper officials in whom is vested the management of the affairs of any incorporated or unincorporated church, cemetery or burial association, setting forth any one or more of the following reasons:

(1) *That due to the opening of streets, roads or public passages around or through the same, a portion of the property has become angular and partly surrounded by improvements; or*

(2) *That due to the proximity of adjacent property, the interment of the dead may, in the interest of public health, be prohibited in the ground belonging to any such church, cemetery or burial association aforesaid; or*

(3) *That from other causes, any burial ground belonging to or in charge of any such incorporated or unincorporated church, cemetery or burial association, has ceased to be used for interments and has become so neglected as to become a public nuisance; or*

(4) *That the remains of such bodies interred in any such neglected or disused cemetery in any city, township or borough interfere with and hinder the improvements, extension and general progressive interest of the Commonwealth or any city, borough, town or township; and after three weeks of advertisement of hearing in open court, for the purpose, are hereby vested and *empowered with full power and authority, after full hearing of the parties therein, proofs and allegations, for any one or more of the above reasons, to authorize and direct the removal of the remains of all of the dead from the whole or any part of such cemetery or burial ground to another portion of the said cemetery or burial ground or to such other suitable ground as said officials may have procured in the vicinity for the reinterment of the bodies, or to such lots or sections in a properly*

* "empowered" in original.

regulated burial ground in the vicinity, and to order and decree that the ground from which the bodies have been removed shall be forever vacated for burial purposes.

Section 3 of the act amended.

Section 3. Section 3 of the act is amended to read :

Section 3. After the removal of the bodies, as provided for in section [two] 2.1, the said court of quarter sessions may, upon petition of the said managers, trustees, or other officers referred to in said section, and upon being satisfied that the order of the court has been duly complied with, authorize and empower the said managers, trustees or other officers, in whom is vested the management of such incorporated or unincorporated church, cemetery, or burial association, to sell said burial ground at public or private sale, either as a whole or divided into lots, as they may deem most advisable and most likely to realize the most money, and to make, execute, and deliver to the purchaser or purchasers a deed or deeds therefor, which deed or deeds shall vest in said purchaser or purchasers a perfect and indefeasible fee simple title, free and clear from all claims or interest of said incorporated or unincorporated church, cemetery, or burial association, and of all owner or owners of lot or lots in said burial-ground, the proceeds thereof being substituted in all respects for said ground.

APPROVED—The 11th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 224

AN ACT

Amending the act of May 11, 1889 (P. L. 188), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further regulating the rates of pilotage.

Pilots and pilotage on Delaware River.

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

Section 1, act of May 11, 1889, P. L. 188, amended April 29, 1955, P. L. 35, further amended.

Section 1. Section 1, act of May 11, 1889 (P. L. 188), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for