

Section 1. The heading of subdivision (h) of article V. and section 561 of the act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662) and added May 27, 1957 (P. L. 210), are amended to read:

(h) Annexation of Property Owned by a City or by Municipal Authorities.

Section 561. [Any city owning] *If any city or municipal authority created solely by said city owns land contiguous to said city on the effective date of this act, the city may annex said territory in the following manner:*

A bill may be introduced in council to annex said land, setting forth a description of the territory to be annexed and the courses and distances of the boundaries of such territory. If said bill becomes an ordinance by action of council, a copy thereof shall be certified to the Department of Internal Affairs.

Section 2. This act shall take effect immediately.

Act effective immediately.

Section 3. The provisions of this amendment relating to the annexation of land owned by a municipal authority shall expire January 1, 1960.

Expiration date.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 385

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County.

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

Real property.

Section 1. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey to the School District of the Township of Skippack, for the consideration of one dollar (\$1), an easement for the flow and drainage of water over the following described tract of land, presently under the jurisdiction of the Department of Justice and situate in the Township of Skippack, County of Montgomery, Commonwealth of Pennsylvania, said tract being bounded and described as follows:

Department of Property and Supplies, with approval of Governor, authorized to sell an easement in Skippack Township, Montgomery County.

Beginning at a point set at the dividing line of lands of the School District of the Township of Skippack and lands of the Commonwealth of Pennsylvania, Eastern State Penitentiary; thence south sixty-nine (69) degrees

Description.

five (05) minutes west along lands of the School District of the Township of Skippack and lands now or late of James B. Elsesser four hundred sixty-one and forty-two hundredths (461.42) feet to a point; thence south forty (40) degrees three (03) minutes west along lands now or late of the said James B. Elsesser thirty-six (36) feet to a point; thence north forty-nine (49) degrees fifty-seven (57) minutes west along lands of the Commonwealth forty-eight and five-tenths (48.5) feet to a point; thence along lands of the same the following courses and distances north fifty-one (51) degrees forty-four (44) minutes forty (40) seconds \*east one hundred and thirty-four (134) feet to a point, north seventy-five (75) degrees one (01) minute east three hundred forty-five (345) feet to a point; thence south seventy-eight (78) degrees three (03) minutes east fifty-four (54) feet to a point the place of beginning, containing 0.5246 acres.

**Conditions.**

The conveyance shall be made under and subject to all easements, servitudes and rights of way, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipe line companies, as well as under and subject to any estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

**Right of reversion reserved.**

The conveyance shall be made subject to the condition that, if the easement ceases to be used for the flow and drainage of water, the title thereto shall revert to the Commonwealth of Pennsylvania.

**Approval and execution.**

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

**Act effective immediately.**

Section 3. This act shall take effect immediately.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 386

**AN ACT**

Amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including the Italian American World War Veterans of the United States, Incorporated, among the veterans organizations entitled to the printing of convention reports.

\* "east" omitted in original.

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

Section 1. Section 1, act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," amended June 30, 1955 (P. L. 241), is amended to read:

Section 1. Be it enacted, &c., That whenever the department commanders of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Disabled American Veterans of the World War, the American Veterans of World War II (AMVETS), Military Order of the Purple Heart, Jewish War Veterans, Catholic War Veterans, Inc., The Society of the 28th Division, A. E. F., [and] the Marine Corps League and the Italian American World War Veterans of the United States, Incorporated, shall report to the Department of Property and Supplies the proceedings of the annual encampment or conventions of their respective departments, with such general and special orders and circulars and other data which may form a part of said proceedings, then the said proceedings, so reported, shall be considered State records, and under the direction of the Department of Property and Supplies, shall be printed and bound, and a printed and bound copy thereof shall be sent to each post or detachment in the Commonwealth of Pennsylvania of the organization of whose proceedings the same is a report.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 387

### AN ACT

Amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; and for the compilation and preservation of records relating to such soldiers, sailors, marines, and members of the enlisted nurse corps, and their burial places, by county commissioners, at the expense of the counties; and imposing certain duties upon persons, firms, corporations, and municipalities, owning and controlling cemeteries; conferring certain duties on the Department of Military Affairs," authorizing the Italian American World War Veterans of the United States, Incorporated, to gather and file data concerning burial places of persons who have served in the military, naval, or other combative forces with the county commissioners or city commissioners in cities of the first class.

War Veterans.

Section 1, act of May 3, 1923, P. L. 134, amended June 30, 1955, P. L. 241, further amended.

Report of proceedings of annual conventions.

Graves of soldiers, sailors, marines and enlisted nurses.

Section 3, act of April 18, 1929, P. L. 609, amended.

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

Section 1. Section 3, act of April 18, 1929 (P. L. 609), entitled "An act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; and for the compilation and preservation of records relating to such soldiers, sailors, marines, and members of the enlisted nurse corps, and their burial places, by county commissioners, at the expense of the counties; and imposing certain duties upon persons, firms, corporations, and municipalities, owning and controlling cemeteries; conferring certain duties on the Department of Military Affairs," is amended to read:

Collection of data by military societies.

Section 3. For the purpose of locating the burial places of persons who have served in the military or naval service, or other branches of the combative forces of the United States during any war in which the United States was engaged, the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, *the Italian American World War Veterans of the United States, Incorporated, Department of Pennsylvania*, and the Disabled American Veterans of the World War, through their local camps, posts and branches in this State, are authorized, without expense to the county, to collect the required data, and prepare and file with the county commissioners *or the city commissioners of cities of the first class* certificates embodying the information provided for in section one hereof.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 388

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting imitating, selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States, Incorporated.

The Penal Code.

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

Section 892, act of June 24, 1939, P. L. 872, amended June 28, 1955, P. L. 204, further amended.

Section 1. Section 892, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended June 28, 1955 (P. L. 204), is amended to read:

Section 892. **Illegal Sale of Veterans' Flowers.**—Whoever imitates, sells or offers to sell the labeled arti-

ficial flowers of the American Legion, Veterans of Foreign Wars, Spanish-American War Veterans, American War Mothers, Disabled American Veterans of the World War, the American Veterans of World War II (AMVETS), [and] the Marine Corps League, and the Italian American World War Veterans of the United States, Incorporated, namely the poppy, the buddy poppy, carnation, American War Mothers' carnation, the forget-me-not, the four leaf white clover, [and] the poinsettia and the daisy, except on the day or days designated or appointed by the respective veterans' organizations to conduct such sales, shall, upon conviction, in a summary proceeding, be sentenced to pay a fine of not more than fifty dollars (\$50), and in default of the payment of such fine, and costs, shall be sentenced to imprisonment for ten (10) days.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 389

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating obscene exhibitions.

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

Section 1. Section 528, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read: Section 528, act of June 24, 1939, P. L. 872, amended.

Section 528. Obscene [or Sacrilegious] Exhibition.—Whoever gives or participates in, or being the owner of any premises, or having control thereof, permits within or on said premises, any dramatic, theatrical, operatic, or vaudeville exhibition, or the exhibition of fixed or moving pictures, \*of [a lascivious, sacrilegious, obscene, indecent, or immoral nature and character, or such as might tend to corrupt morals] *an obscene nature*, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500)] *one thousand five hundred dollars (\*\*\$1,500)*, or undergo imprisonment for a period not exceeding [one (1) year] *two (2) years*, or both.

*An exhibition shall be deemed obscene if, to the average person applying contemporary community stand-*

\* "or" in original.

\*\* "\$" omitted in original.

Act effective  
immediately.

*ards, its dominant theme taken as a whole appeals to prurient interest.*

Section 2. This act shall take effect immediately.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 390

AN ACT

Amending the act of June 4, 1943 (P. L. 886), entitled, as amended, "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," defining certain words, establishing eligibility requirements for municipal membership in the retirement system, providing for payment of the expenses of administration, and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

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

Section 1. Section 2, act of June 4, 1943 (P. L. 886), known as the "Municipal Employees' Retirement Law," amended June 5, 1947 (P. L. 434) and June 12, 1947 (P. L. 601), is amended to read:

Section 2. Definitions.—The following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

"Board," the Municipal Employees' Retirement Board.

"Municipality," a city, borough, town, township, county, institution district, or [municipal] an authority created by a city, borough, town, township, county, or county institution district, or jointly by any such political subdivisions.

"Municipal Employee," a person holding an office or position under a municipality, an institution supported and maintained by a municipality, or under [a municipi-

Municipal Em-  
ployees' Retirement  
Law.

Section 2, act of  
June 4, 1943,  
P. L. 886,  
amended June 5,  
1947, P. L. 434  
and June 12,  
1947, P. L. 601,  
further amended.