

*boards or commissions, the Department of Property and Supplies is hereby empowered to purchase and to authorize, in writing, any department, board or commission to purchase, within reasonable limits, in any locality in the open market, at the lowest and most advantageous prices, commodities, supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same, when commercial conditions are such that make it impossible to secure competitive bids, until such time\* as the state of war shall cease and normal market conditions shall be restored.*

Act effective immediately.

Section 5. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 7th day of May, A. D. 1943.

EDWARD MARTIN

\* "times" in original.

No. 117

AN ACT

To further amend sections\* 601, 602 and 605 of, and to add sections 601.1, 601.2 and 601.3 to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing and further providing procedure to create, change or establish boundaries of wards in boroughs; imposing additional duties on borough councils; providing in certain cases for local option; and terminating unfinished proceedings heretofore commenced for such purposes.

The General Borough Act.

Sections 601, 602 and 605, act of May 4, 1927, P. L. 519, amended; sections 601.1, 601.2 and 601.3 added to said act.

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

Section 1. Section 601 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," is hereby amended to read as follows:

Section 601. Power of Court to Erect and Change Wards and to Alter and Establish Lines.—[The] *Upon certification from the council of any borough, of a resolution adopted by the said council, in favor of any of the following changes, and petitioning the court to make such change or changes, or upon a certified report of the results of any election held in any borough, under the provisions of this article, showing that the vote of the electors of such borough was in favor of any of the fol-*

\* "Section" in original.

lowing changes, the court of quarter sessions [upon petition] may, in accordance with such petition or affirmative vote on such question, divide [boroughs] the borough into wards, erect new wards, consolidate two or more wards into one ward out of two or more adjoining wards or parts thereof, attach land\* annexed to [a] the borough to an adjacent ward or wards, divide any ward already erected into two or more wards, or alter the lines of any two or more adjoining wards, and may cause the lines or boundaries of wards to be ascertained and established.

Section 2. Said act is hereby amended, by adding thereto after section 601, three new sections to read as follows:

*Section 601.1. Proceedings Instituted by Petition to Council; Favorable Action Certified to Clerk of Court.*—Whenever a petition, signed by residents of the borough, equal in number to at least ten per centum of the registered electors in said borough, shall be presented to the borough council, by filing with the secretary of the council, requesting any of the changes in the wards of such borough or the lines thereof, as described in section one of this act, the borough council may, any time within ninety days thereafter, by resolution duly adopted, agree to the change or changes in said ward or wards as set forth in the petition, and a copy of such resolution, together with a copy of the petition aforesaid, shall be certified to the clerk of the court of quarter sessions of the county, with its petition to the court to make the changes therein set forth.

*Section 601.2. Unfavorable Action by Council; Question Submitted to Electors.*—If within ninety days after the filing of said petition with the borough council, it shall have failed to adopt a resolution in favor of the change or changes petitioned for, or shall have adopted a resolution against such change or changes, the council shall forthwith certify such failure or refusal to agree to the changes petitioned for, together with a copy of the petition, to the election board of the county, with a request that a question to determine the will of the electors of said borough with respect to the division of the borough into wards, or the erection of new wards or the consolidation of two or more wards or parts thereof into one ward, or the attachment of land annexed to a borough to an adjacent ward or wards or the division of any ward into two or more wards, or the alteration of the lines of any two or more adjoining wards, or the ascertainment and establishment of the lines or boundaries of certain wards as the case may be, shall be placed on the ballots or on voting machines for the said borough at the first primary election occurring at least sixty days thereafter.

\* "lands" in original.

*The said question shall be placed on the ballots or voting machines for the aforesaid primary as provided by law.*

*Section 601.3. Results of Election Certified to Clerk of Court.—The votes cast on such question shall be counted and returns thereof made in accordance with the provisions of the Pennsylvania Election Code relating to special elections, in so far as applicable. The county election board shall keep a record of such vote on file and open to the public, and shall within thirty days after such election, make a certified report of the results of such election to the secretary of the council of the borough concerned, and to the clerk of the court of quarter sessions of the county.*

Section 3. Sections 602 and 605 of said act, are hereby amended to read as follows:

Section 602. [Signing Petition] Appointment of Commissioners; Report.—[The petition shall be signed by twenty freehold residents of the borough, or of the ward, whose limits it is proposed to change.] Upon [its presentation] *receiving the aforesaid certification and petition, or the certified report of the results of an election, showing the affirmative vote of the electors of a borough as aforesaid,* the court shall appoint three impartial men as commissioners, to inquire into the [propriety of granting its prayers] *manner of making the changes petitioned or voted for.* The commissioners, or any two of them, shall make a report to the next term of the court, and shall accompany it with a plot, showing the boundary of the borough and wards before and after the proposed change, whenever the same cannot be fully designated by natural lines.

Section 605. Payment of Costs.—[Bond] Such compensation, *and all costs and expenses incurred in such proceeding,* shall be paid by the [county, during the term of court to which the report is made, to be reimbursed by the petitioners, as directed by the court. To secure such reimbursement, the court may require the petitioners to file a bond with their petition. All other costs and expenses, incurred in the erection, division, or alteration of wards, shall be paid by the petitioners, without liability upon the county] *borough.*

Section 4. If any proceeding has heretofore been commenced by petition to court of twenty or more freehold residents of a borough as hereinbefore provided by section 601 of the act herein amended, and if such proceeding has not been finally concluded, and the report of the commissioners confirmed and made absolute, as provided by said act at the time this amendment becomes effective, such proceeding is hereby terminated, and no further action therein shall be taken by the court nor by any party interested in or appointed by said

court, and all costs in such proceeding, including the compensation of the commissioners appointed by said court, shall be paid by the borough.

Section 5.\* The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 7th day of May, A. D. 1943.

EDWARD MARTIN

No. 118.

AN ACT

To amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions; and providing a penalty.

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

Boxing, wrestling, etc.

Section 1. Section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (Pamphlet Laws, seven hundred ten), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," is hereby amended to read as follows:

Section 12, act of June 14, 1923, P. L. 710, amended.

Section 12. Age of Participant and Spectators.—No person under the age of eighteen years shall participate in any boxing, sparring, or wrestling match or exhibition; and no children under sixteen years of age shall be permitted to attend as spectators: *Provided, That persons sixteen and seventeen years of age may participate in amateur boxing, sparring and wrestling matches or exhibitions, with other persons not over seventeen years of age, under such regulations as the State Athletic Commission shall prescribe.*

Age restrictions for participants and spectators.

Proviso.

*Whoever violates any of the provisions of this section, shall, upon conviction thereof in a summary proceeding, be sentenced to pay the cost of prosecution and a fine not exceeding one hundred dollars (\$100) for each such offense, and in default of the payment thereof shall be imprisoned for a period not exceeding sixty (60) days.*

Penalty.

\* "3" in original.