

**RESOLVED**, That the Auditor General is hereby required to Auditor Gen.  
audit and settle the accounts for printing and binding the Co- to settle ac'ts.  
lonial Records, up to the end of the third volume, agreeably for printing &  
to the contracts thereof, and the State Treasurer is hereby re- binding Colo-  
quired to pay the balance that may be due, if any, for the nial Records.  
same.

WM. HOPKINS,

*Speaker of the House of Representatives.*

EB. KINGSBURY, Jr.

*Speaker of the Senate.*

**APPROVED**—The nineteenth day of May, one thousand  
eight hundred and forty.

DAVID R. PORTER.

[No. 31.]

## RESOLUTION

Relative to James Lyon, and for other purposes.

**RESOLVED**, By the Senate and House of Representatives  
of the Commonwealth of Pennsylvania in General Assembly  
met, That the Auditor General be and he is hereby authorized  
and required to settle and adjust the accounts of James Lyon, Accounts of  
treasurer of the board of commissioners, appointed by the James Lyon.  
act of fifteenth April, one thousand eight hundred and thirty- to be settled  
four, directing the sale of certain lots in the town of Beaver, by Auditor  
and other lands adjacent thereto, in such a manner that he General.  
may be allowed five per cent. on all moneys collected and paid  
over by him, in pursuance of such sale, agreeably to the said  
act: *Provided*, That the said James Lyon be and he hereby  
is authorized and required to collect the balances that may be *Proviso*.  
due upon said lots, and pay the same over to the State Treas-  
urer, agreeably to the provisions of said act.

**RESOLVED**, That Catharine L. Cook of the city of Balti-  
more, in the State of Maryland, in her twentieth year of age, Catharine L.  
be and she is hereby authorized and empowered to unite with Cook to con-  
her brothers and sisters and mother in conveying and releasing very certain  
all her right, title, and interest in and to about fifty-four acres real estate in  
of land, in Roaring Creek township, Columbia county, to Columbia co.  
John and Benjamin Hughes, and upon the receipt of the pur-

chase money, good and sufficient discharges to give for the same; and the said Catharine L. Cook is hereby authorized and empowered to make and execute the necessary conveyances on her part, for the transfer of said property, which shall have the same legal force and effect, as if Catharine L. Cook was of full age.

Privy wells  
not to be  
cleaned with-  
out a permit  
from the board  
of health.

Penalty.

**RESOLVED,** That hereafter no person shall remove or cause to be removed the contents, or any part thereof, of any privy well within the limits of the jurisdiction of the board of health until he shall have first obtained a permit from the said board of health, which permit shall specify the time within which the contents of the privy may be removed, and the place to which the said contents shall be conveyed and deposited. And if any person shall remove, cause or allow, or assist in removing the contents, or any part thereof, of any privy well before he has obtained such permit, or at any other time than that specified in the said permit, or shall convey to and deposit or assist in conveying and depositing the same in any other place than that described in the said permit, he shall for any of the aforesaid acts forfeit and pay to the board of health the sum of one hundred dollars, and also be liable to an indictment in the court of criminal sessions for the city and county of Philadelphia, and on conviction shall be sentenced to undergo a confinement in the jail of the county of Philadelphia, not exceeding ninety days, or at the discretion of the court shall forfeit and pay for the use of the said board of health, the further sum of fifty dollars. And the person or persons upon whose property the same being enclosed, occupied or in a state of cultivation, the contents or any portion of the contents of any privy, unless by the special permission of the board of health, shall be deposited, shall forfeit and pay for every such deposit the sum of fifty dollars, for the use of the board aforesaid, and shall remain in custody until the same be paid.

Kind of vehi-  
cles to be used

Penalty.

**RESOLVED,** That hereafter no person shall be permitted to remove or cause to be removed any portion of the contents of a privy well within the limits aforesaid, excepting in carts or vehicles so constructed as to be water tight, and securely covered on the top, and capable of containing twenty-four cubic feet. And if any person shall remove, cause or permit to be removed, the contents or any part thereof of any privy, excepting in carts or vehicles constructed as above, he shall forfeit and pay to the board of health a sum not exceeding one hundred dollars.

Charges regu-  
lated.

**RESOLVED,** That hereafter the charge for removing the contents of privy wells within the limits aforesaid shall be made by the load of twenty-four cubic feet, and the number of loads removed from each privy shall be determined by the certificate of the clerk of the board of health, of the number of loads

received at the public pit, which certificate shall be received as conclusive evidence of the number of loads removed in all suits instituted for the recovery of debts incurred for the conveying away of the contents of privies within the limits aforesaid. And all contracts for removing the contents of privies within said limits which shall be made hereafter contrary to the meaning and intent of this section, is hereby declared to be null and void.

Contracts  
contrary to  
this act void.

RESOLVED, That so much of the act, entitled an act to empower the Board of Health to purchase and hold certain real estate, and for other purposes, passed during the session of 1825-26, and all existing acts of assembly which are inconsistent with the provisions of the present act, is hereby repealed. And in addition to the powers with which the said Board of Health are invested, in relation to their holding real estate, that they be also authorized to purchase and hold so much real estate, within the city of Philadelphia, as may be necessary for the transaction of their business.

Additional  
power to hold  
real estate in  
the city of  
Phila.

RESOLVED, That the courts of Quarter Sessions of the county of Northampton, on being petitioned to grant a view for opening or extending any street, lane or alley, within the borough of Easton, in the county aforesaid, or for the purpose of opening or making any new street, lane or alley, within said borough, not designated in the original plot of said borough, shall have power, and by virtue of this act are directed and required, as often as they judge it useful, in open court, to order and appoint six discreet and disinterested persons, whose duty it shall be, after being first sworn or affirmed, to view together with the commissioners of the county for the time being, or a majority of the said commissioners, the ground proposed for opening or extending such street, lane or alley, or opening or making such new street, lane or alley, and if they or any five of them view the said ground, and any four of the actual viewers, exclusive of the county commissioners, agree that there is occasion for such street, lane or alley, to be opened or extended, they shall proceed to lay out the same, as agreeably to the desire of the petitioners as may be, in such manner as to do the least injury to private property, and shall make report thereof, stating particularly whether they judge the same necessary, together with a plot or draft thereof to the next court of Quarter Sessions; and if then and there, the court aforesaid shall approve of the same, it shall, at the next court thereafter, be entered of record, and thenceforth shall be taken, deemed, and allowed to be a public street, lane, or alley, compensation being made to the owner or owners of the ground, or other property, as herein directed.

Court of Qr.  
Session of  
Northampton  
co. to grant a  
view for open-  
ing streets, &c  
To appoint  
viewers.

Duties of

Report of  
viewers.

Draft.

RESOLVED, That as soon as the said report shall be returned and approved by the said court, and entered of record, as afore-

When report  
approved com-

mon council said, the town council of the said borough shall cause such to open streets street, lane, or alley, to be opened or extended agreeably to &c. the said report, and the directions of the said court.

**Damages how assessed and ascertained.** RESOLVED, That as soon as any such street, lane, or alley, shall be opened or extended, it shall and may be lawful for any person or persons, whose property may be injured by such opening or extending, to apply by petition to the said court to have such damage assessed; and it shall be lawful for the said court to appoint six discreet and disinterested persons, who, being first sworn or affirmed, shall enquire what damages, if any, the owner or owners of lands, house or houses, or other property, may have sustained by reason of the same being taken, used, and appropriated for the purpose aforesaid: *Provided always*, That it shall be the duty of the said persons in assessing damages, to consider the advantages which may accrue to the owner or owners of such lands, house or houses, or other property, by reason of opening or extending such street, lane, or alley, and, upon the return of valuation and assessment of damages made by any five of the said viewers to the said court, and the said court shall have approved or confirmed the same, the amount of damages assessed or awarded, as aforesaid, shall be paid out of the borough treasury, and the viewers in both cases shall be paid as viewers of roads, and of road damages, are now by law paid, it shall be lawful for the said court to appoint reviewers as often as it may be deemed necessary.

**How to be paid.**

**Proviso.**

7th 8th & 9th sec. of act 15th June 1836 relative to roads &c. how construed. RESOLVED, That the seventh, eighth and ninth sections of the act of the fifteenth June, one thousand eight hundred and thirty six, entitled an act relating to roads, highways and bridges, shall be construed to apply to claims for damages, in consequence of injury sustained from the location and opening of a road, under the provisions of any special act of assembly, unless where the same is otherwise provided for by law.

WM. HOPKINS,

*Speaker of the House of Representatives.*

EB. KINGSBURY, Jr.

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of May, A. D. eighteen hundred and forty.

DAVID R. PORTER.