

No. 83.

A FURTHER SUPPLEMENT

To the charter of the borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the annual election for borough officers, to be held in the borough of York, on the first Saturday of May, one thousand eight hundred and forty-four, and at every such annual election thereafter, the qualified electors of said borough, instead of choosing two able freemen of the inhabitants of said borough to be burgesses as heretofore, shall choose one such freeman to be chief burgess, and another to be second burgess, who shall respectively perform the duties of said office; and it shall be the duty of the six persons elected to be assistant burgesses, of the borough of York, at the said first mentioned annual election, to draw from a box, at the first regular meeting of the burgesses and assistant burgesses of said borough, after said election, ballots, three of which shall be numbered "two years," and three "one year;" and the three assistant burgesses who shall each draw a ballot number "two years," shall hold their offices for two years; and the three who shall each draw a ballot numbered "one year," shall hold their offices for one year; and thereafter, on the first Saturday of May in each and every year, there shall be elected three assistant burgesses, who shall succeed those whose term shall have expired, and hold their offices for two years. *Provided,* That the other officers of said borough shall be elected or appointed as is prescribed by existing laws. Election of burgesses.

SECTION 2. That the burgesses and assistant burgesses of said borough are hereby authorized and empowered to fill all vacancies which may occur in their own body, or in the office of town clerk, by death, resignation, removal from the borough, or otherwise, by appointing a person or persons, as the case may require, to serve until the next annual election for borough officers. when the qualified citizens of said borough shall elect a proper person or persons, either to fill the unexpired term or terms so left vacant, or as successor or successors to him or them, by whose death, resignation, removal, or other act or delinquency such vacancy shall have been occasioned, as the case may require. Vacancies.

SECTION 3. That the first section of the act, passed on the twenty-third day of April, one thousand eight hundred and twenty-nine, entitled "A further supplement to the charter of the borough of York," be and the same is hereby so amended as, that whenever two-thirds in number of the owners of property, on the sides fronting on any of the streets, lanes or alleys of said borough, of any two opposite squares in said borough, shall have assented to have them or any of them regulated, paved and improved, the burgesses and assistant burgesses shall proceed to give the notice required in said section, to the owners of property on said sides of squares; and shall be invested with all the powers therein conferred upon them, in cases where the owners of property shall refuse or neglect to make such pavement or improvement, as fully as if two-thirds of the owners of property on entire streets, lanes and alleys, had expressed their assent to such regulation, pavement and improvement. Paving and improving.

Decayed pavements.

SECTION 4. That the burgesses and assistant burgesses of the borough of York, be and are hereby authorized to require and compel all owners of property, in said borough, to renew all pavements made in front of their respective properties, which shall have decayed or worn out; and should any owner of property refuse or neglect, after having received one month's notice from the burgesses and assistant burgesses, by the hands of any borough officer, to renew any such pavement in front of his property as aforesaid, the burgesses and assistant burgesses, then and in that case, shall cause the said pavement to be renewed, and present the bill of the expenses thereof to the person or persons, who shall have so neglected or refused; and on refusal to pay the said bill, the burgesses and assistant burgesses may recover, before any justice of the peace or court of competent jurisdiction, the amount of said bill, as debts of a similar amount are now recoverable by existing laws.

Width of pavements.

Proviso.

SECTION 5. That the pavements on High and George streets, in said borough, shall be twelve feet in width, and on other streets therein, which are sixty feet wide, the pavements shall be ten feet in width: *Provided*, That whenever a majority of the owners of property, on the sides fronting on George or High streets aforesaid, of any two opposite squares, shall make known their wishes by petition to the burgesses and assistant burgesses, to have the width of the pavement in front of their respective properties increased to sixteen feet, the said burgesses and assistant burgesses are hereby authorized to carry out the wishes of said owners of property, in the same manner, under the same restrictions, and with the same rights of recovery against delinquent owners of property on said fronts of squares, as are conferred upon them in the fourth section of this act, in the case of persons refusing to renew their pavements.

Party walls.

SECTION 6. That the regulators of said borough shall not lay out the foundations of any wall or walls, to be built between party and party, more than four and one half inches, upon the land adjoining that on which any building is about to be erected, without the consent of the owner of such adjoining property; and so much of the twelfth section of the act, passed on the twenty-fourth day of April, one thousand seven hundred and eighty-seven, entitled "An Act for erecting the town of York, in the county of York, into a borough, for regulating the buildings, preventing nuisances and encroachments on the common, squares, streets, lanes and alleys of the same, and for other purposes therein mentioned," as provides that the foundations of all party walls in said borough shall be equally laid out upon the lands of the persons between whom such party wall is to be made, be and the same is hereby declared not to extend to any such wall which shall be more than nine inches in thickness.

Suspicious persons.

SECTION 7. That all suspicious persons, who may be found strolling or wandering about any of the streets, lanes and alleys of the said borough, after the hour of ten o'clock at night, and all drunken, disorderly and riotous persons, who either by day or night shall make noise or disturbance on any of said streets, lanes and alleys, shall be liable to be taken up by the high constable or any watchman of said borough, and confined in such place as may be appointed by the burgesses and assistant burgesses for a watch house, for any length of time not exceeding twenty-four hours.

Turnpikes in the borough.

SECTION 8. That all turnpike road companies which by their charters are empowered to construct their roads to any point within the corporate limits of the borough of York, shall be and are hereby required to conform their roads to the grades and formations of the respective streets

upon which they are laid, as fixed by the regulators of said borough, and to make, repair and renew so much of their roads as lies within the said corporate limits, whenever thereunto required by the burgesses and assistant burgesses of said borough; and the said turnpike road companies shall be liable to all the penalties prescribed in their respective charters, for not keeping their roads in good and passable order, in case of failure to comply with the requisitions of said burgesses and assistant burgesses, for and during the space of one calendar month, after notice shall have been served upon any president, treasurer, director, secretary or toll collector, of any such turnpike road company.

SECTION 9. That all taxes, rates and levies, which may hereafter be lawfully imposed or assessed, by the corporate authority of the borough of York, on real estate situate in the said borough, shall be and they are hereby declared to be a lien on the said real estate, on which they may hereafter be imposed or assessed, and the said lien shall have priority to and shall be fully paid and satisfied, before any recognizance, mortgage, judgment, debt, obligation or responsibility, which the said real estate may become charged with or liable to, from and after the passage of this act: *Provided*, The said taxes, rates and levies, shall not remain a lien on said real estate for more than two years, from the date of the assessment thereof. Taxes.
Proviso.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 84.

A FURTHER SUPPLEMENT

To an act to enable the Governor to incorporate a company for making an artificial road from the Springhouse tavern, in Montgomery county, and thence to the borough of Northampton, in the county of Lehigh, and to the town of Bethlehem, in the county of Northampton, approved the sixteenth of January, one thousand eight hundred and thirteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for completing the said turnpike road, be and the same is hereby extended for the term of ten years, from and after the first day of April, one thousand eight hundred and forty-four.*

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.