

of Trenton, in said state, this twentieth day of January, in the year of our Lord one thousand eight hundred and forty-six, and of the independence of the United States the seventieth.

By the governor,

CHARLES C. STRATTON.

CHARLES G. M'CHESNEY, *Secretary of State.*

No. 122.

A N A C T

Concerning the boroughs of Warren and Butler.

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 Borough of Warren the fourteenth section of the act, entitled "An act to erect the town of ren. Warren, in the county of Warren, into a borough, and for other purposes," approved the third day of April, A. D., one thousand eight hundred and thirty-two, be and the same is hereby repealed. Repeal as to being a separate township.

SECTION 2. It shall be lawful for the high constable of said borough, after being sworn in and qualified in court, to serve and execute all process, and perform the same duties, and he shall be subject to the same regulations and responsibilities as township constables. Powers of high constable.

SECTION 3. That the burgess and town council of the borough of Warren, for the time being, shall be commissioners of streets and highways, and overseers of the poor, and shall have power to appoint one or more road-masters, whose duty it shall be to improve and repair the streets and public highways of said borough, and be subject to such regulations as may be prescribed by the said burgess and town council, and be liable to be proceeded against on the non-performance of any and all the duties pointed out by the act of assembly, passed the ninth day of April, A. D., one thousand eight hundred and forty-four, in regard to path-masters, and subject to like penalties. Duties of town council.

SECTION 4. That it shall be lawful for the citizens of said borough, at their annual election, to elect, in addition to the officers now authorized by law to be elected, assessors of county rates and levies, school directors, auditors, clerk, judge and inspectors of elections, in the same manner that similar officers are now elected in townships, in the several counties of this commonwealth, and also a treasurer for said borough. Election of officers.

SECTION 5. That the school directors elected by the township of Warren, now in office, shall be school directors for the borough of Warren, unless they shall previously resign or remove from said borough, for and during the term for which they have respectively been elected; and in case of resignation, removal, or death, then the court of common pleas of Warren county may appoint others to supply the vacancy or vacancies. School directors.

SECTION 6. That said burgess and town council shall receive no pay for their services, except such as shall be fixed and approved of by the auditors of said borough; and in no case shall it exceed the sum of twenty dollars for the services of the whole council in any one year; Compensation of council.

but this act shall not in anywise affect the tenure of any officer heretofore elected.

Borough of Butler, office of street commissioners abolished.

SECTION 7. That the office of street commissioners of the borough of Butler, in the county of Butler, is hereby abolished; and all street taxes heretofore assessed and unpaid, or hereafter to be assessed in said borough, shall be paid in money, and shall be expended on the streets, lanes and alleys of said borough, under the direction of the town council thereof, through the agency of a committee of one or two of its members, from time to time appointed, and subject to removal at any time by said council; but the provisions of this section shall not interfere with any arrangements heretofore existing, by which taxables of said borough were to have a credit on their taxes, present or future, on account of paving or other labor done in said borough.

Repairs of streets &c., to be given to lowest bidder.

SECTION 8. That the repairing and keeping in repair said streets, lanes and alleys, and all works constructed under authority of said council, shall, from time to time, as far as practicable, be given out by contract to the lowest competent bidder, who, for the faithful performance of the contract, shall give such bond to said borough, with one or more sufficient sureties, as said council shall direct.

Publish annual account.

SECTION 9. That said council shall annually publish, in the month of January, at an expense not exceeding one dollar, an accurate statement of their contracts and expenditures during the preceding year; and none of said council shall receive any compensation for their services except the member or members of their said committee, who shall for their services be allowed a sum to be fixed by said council, not exceeding in the whole twenty dollars in any one year.

Obstructions to be removed.

SECTION 10. That it shall be the duty of said council to cause said streets, lanes and alleys, before the first day of July next, to be cleared of every obstruction, such as wood, stones, ashes, and artificial mounds of uneven surface obstructing convenient passage; and shall further thereafter, at all times keep the said streets, lanes and alleys, in perfect order and repair; and if said council shall fail to comply with any of the provisions of this section, they shall be subject to a fine of five dollars each, to be recovered by action of debt in the name of said borough, before any justice of the peace, one-half thereof to go for the use of said borough, and the other half to the person who may sue for the same.

Penalty.

Tax.

SECTION 11. That no street tax hereafter assessed on any male taxable inhabitant of said borough, shall be less than twenty-five cents.

Collection of taxes.

SECTION 12. That said council shall cause all arrears of street taxes in said borough to be forthwith collected, and shall cause all such taxes hereafter assessed to be collected or satisfied, before the first day of November, in each year.

Butler & Kittanning turnpike road company, election of changed.
Repeal.

SECTION 13. That the time for holding the election of managers of the Butler and Kittanning turnpike road company, is hereby so changed, that said election shall hereafter be held on the second Monday of April, in each year.

SECTION 14. That so much of any law as is hereby altered or supplied, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives:
DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.