

No. 93.

AN ACT

Relating to certain streets and roads in Philadelphia, Montgomery, Lancaster and Chester counties.

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* Grover avenue, as the same is laid out upon the plan of the survey of the township of Passyunk, in the county of Philadelphia, made by John Thompson, in the year one thousand eight hundred and thirty-two, and filed in the office of the court of quarter sessions for the county of Philadelphia, of the width of one hundred feet from the south side of Cedar street to the north-west side of Gray's Ferry road, be and the same is hereby vacated and annulled. And in lieu thereof, that Beech street, of the width of fifty feet, as the same is laid out and opened in the city of Philadelphia, be and the same is hereby continued southward between the same lines, and of the same width, from the south side of the said Cedar street to the south side of Shippen street, in the said township. And that the said Beech street be and the same is hereby extended farther southward, between the same lines, to the north-west side of the Gray's Ferry road: *Provided*, That the consent of the proper authorities, under the United States government, shall be given to such further extension south of Shippen street.

A portion of Grover avenue vacated.

Beech street extended.

Part of Indiana street vacated.

SECTION 2. That so much of Indiana street as lies between Frankford and Bristol turnpike road, within the district of Richmond, and the south-easterly boundary of the Franklin cemetery, as the same is laid out and incorporated according to law, be and the same is hereby vacated.

Franklin cemetery authorized to lay out an avenue.

SECTION 3. That with the consent and approbation of the trustees of the said Franklin cemetery, and the managers of the said Franklin cemetery company, first being had and obtained, that a sixty foot wide avenue, leading from the said Frankford and Bristol turnpike road, within the said district of Richmond, to the said Franklin cemetery, which has been laid out by the said trustees, as a way to the said cemetery, be and the same is hereby confirmed as a public street, to be forever used as a way to said cemetery, and for the public convenience.

Street commissioners of Pottstown authorized to lay out a street.

SECTION 4. That the street commissioners of the borough of Pottstown, in the county of Montgomery, are hereby authorized and required, on or before the first day of May next, to lay out and open a public street in said borough, sixty feet in width, beginning in a public road lately opened by order of the court of quarter sessions of said county, through lands of B. M. Boyer, L. E. Corson and others, and known as Washington street, in said borough, at a point where the same would be intersected by King street, in said borough, if extended; and thence by the courses of King street aforesaid, through lands of Frederick Rightmyer and others, eastwardly, to the extreme eastern limit of said borough: *Provided*, Any person who shall sustain any damage by the exercise of the authority given by this section, shall have all the rights and remedies provided in cases of public roads, by

Proviso.

the act, entitled "An Act relating to roads, highways and bridges," passed the thirteenth day of June, Anno Domini one thousand eight hundred and thirty six.

SECTION 5. That the court of quarter sessions of Lancaster county shall have power, and the said court is hereby authorized to appoint viewers, upon the petition of any number of citizens, to view and widen Church street, in the city of Lancaster, by view and review, and in like manner to cause the same to be widened, as is now provided for the opening of roads in said county of Lancaster, under the laws of this commonwealth relating thereto, all of which provisions as to the ascertainment and payment of damages, are hereby re-enacted and declared to be part of this act, so far as relates to the widening of said Church street: *Provided*, The said court may cause the said street to be opened to any width not exceeding seventy feet.

Authority to
widen Church
street, in the city
of Lancaster.

Proviso.

SECTION 6. That all roads now laid out and not yet opened, and all roads in Bradford township, Chester county, how opened.

The supervisors shall divide such roads into as many sections as they shall think proper, each not exceeding one mile in length, and shall enter and specify in a road book to be kept for that purpose, the nature and character of the work to be done to each section; which book shall always be kept open for public inspection; and after having given ten days' notice, by handbills placed in five or more of the most public places in the township, shall proceed to sell, by public vendue, the said sections, to the lowest and best bidder; and after having allotted said sections, shall direct the persons to whom said allotments have been made, to proceed immediately to open the same according to the specifications entered in the said road book, and in case of neglect or failure of any contractor to open his section or sections agreeably to the terms upon which he received such contract, the supervisors shall dispose of said section or sections at a subsequent sale, by like proceedings as was had at the first sale; and if the price exceeds the previous sale and allotment, the person to whom the previous allotment was made shall be liable for said excess, and for all expenses incurred in effecting said second sale; the amount of which said excess and expenses may be sued for and recovered by the said supervisors, as debts of similar amount are now by law sued for and recoverable; after such roads have been opened, they shall be kept in repair by the said township, in the same manner that other roads therein are now by law repaired.

Duty of supervisors.

SECTION 7. That from and after the passage of this act, so much of Mount Joy street, in the village of Mount Joy, in the county of Lancaster, as lies between Barbara and Jacob street, shall be a public highway; and the same shall be made and kept in repair by the township or townships in which the said road lies.

Mount Joy street,
in Mount Joy,
Lancaster county,
declared a public
highway to a cer-
tain extent.

SECTION 8. That York court and Pratt's court, as now laid out from the east side of New Market street to the west side of Front street, between Coates and Brown streets, in the incorporated district of the Northern Liberties, county of Philadelphia, be and the same are hereby declared a public highway, and shall be deemed and taken to be a public road, as if the same were of the width of twelve feet, and shall be subject to and under the control of the commissioners of the said incorporated district of the Northern Liberties: *Provided*, That the county shall not be called upon, nor pay any damages for the same.

York court and
Pratt's court, in
Lancaster county,
declared
public roads.

Proviso.

Loud street, in
Philadelphia,
changed to Au-
burn street.

SECTION 9. That a certain street running from Eighth, westward, to Tenth street, south of Carpenter street, in the township of Moyamensing, be and the same are hereby declared a public highway, and shall be deemed and taken to be a public road, as if the same were of the width of twelve feet, and shall be subject to and under the control of the commissioners of the said incorporated district of the Northern Liberties: *Provided*, That the county shall not be called upon, nor pay any damages for the same.

LAWS OF PENNSYLVANIA,

sing, in the county of Philadelphia, heretofore called Loud street, shall hereafter be called and known by the name of Auburn street.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 94.

AN ACT

To incorporate, in the township of Lower St. Clair, in Allegheny county, a borough, to be called "South Pittsburg."

Boundaries.

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 territory lying in the township of Lower St. Clair, in the county of Allegheny, included within the following boundaries:—Beginning on the bank of the Monongahela river, at low water mark, where the western line of the borough of Birmingham strikes said river; thence by said borough line southwardly, so as to include the coal hill lots in the manor of Pittsburg; thence westwardly along the south end of said lots, to the western line of land now owned by the heirs of Samuel Black, deceased; thence northwardly by the line dividing said land of Black's heirs from the land of heirs of Thomas Jones, deceased, to the southern bank of the Monongahela river, at low water mark; thence eastwardly, by low water mark, up the Monongahela river, to the western line of the borough of Birmingham, the place of beginning, to be called the borough of South Pittsburg.

Election of Officers.

SECTION 2. The inhabitants of said borough entitled to vote for members of the general assembly, having resided therein ten days immediately preceding the election, shall, on the third Friday of March next, and on the third Friday of March in every year thereafter, meet at the house occupied by E. M'Aninch, in said borough, and then and there, between the hours of one o'clock and seven, P. M., elect by ballot one citizen, who shall be styled the burgess of said borough, and four other citizens to be members of the town council; and at the first election six school directors, two to serve one year, two for two years, and two for three years; and thereafter two school directors annually, and one person to be constable of said borough, and one person as overseer of the poor, whose name shall be returned to the next court of quarter sessions for the like purposes, as in elections of township constables; the said inhabitants shall also, at the same time and place, elect two justices of the peace, unless one of the justices of the peace, already