

LAWS OF PENNSYLVANIA,

turns of said order or orders of sale, or in any other of the proceedings had in reference to said sale, be and the same are hereby cured; and the said administrators of the said Leonard Plouiz, deceased, are hereby fully authorized and empowered to make, execute and deliver a good and sufficient deed, granting, assuring and conveying the said premises and appurtenances to the said purchaser, his heirs and assigns, in fee simple, upon his faithfully and fully complying with the conditions of said sale.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 235.

AN ACT

Relating to certain streets in the districts of Moyamensing, Kensington and Penn, and to the survey of the township of Passyunk, in the county of Philadelphia; and relative to the election of a justice of the peace; and to the Fellowship hose company of Germantown; fixing the fees of the clerk of the court of quarter sessions of the peace for the city and county of Philadelphia; and relative to the Bustleton and Somerton turnpike road.

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 Arsenal street, Donaldson's alley, Federal alley, a ten feet wide alley commencing at Arsenal street, about two hundred and fifty feet eastward of Gray's Ferry road, running southwardly across Donaldson's alley into Buck road, and Buck road from its intersection with Federal street westward to Gray's Ferry road, in the western part of the district of Moyamensing, shall be and the same are hereby vacated: *Provided,* That the said Buck road shall not be closed or obstructed until Washington street, from Willow street westward to Gray's Ferry road, and Willow street, from Washington to Federal streets, shall be opened for public use, without charge or cost to the county of Philadelphia for damages.

SECTION 2. That that portion of Burden street as laid out upon the plan of the northern part of Passyunk township, now the western part of the district of Moyamensing, lying on the north-westerly side of Gray's Ferry road, and on the south-westerly side of the ground of the United States naval asylum, is hereby vacated; and Ashton street, south of Cedar street, and Grover avenue, south of Gray's Ferry road, as laid out by the said plan, are hereby vacated, and in lieu thereof Ashton street of the breadth of fifty feet shall be laid out, the centre of which shall be

Arsenal street,
Donaldson's al-
ley and Federal
alley, vacated.

Proviso.

Burden street.

Ashton street.

equidistant between Schuylkill Front street and Willow street, as laid out and delineated upon said plan.

SECTION 3. That Old Tidmarsh street, from its intersection with New Tidmarsh or Carpenter street, westward to Thirteenth street, in the said district of Moyamensing, is hereby vacated; and the commissioners of the said district of Moyamensing are hereby authorized to pave Delaware Seventh street from Catharine street to Passyunk road, and shall have the usual legal remedies for the collection of the cost thereof from the owners of the lots fronting upon said streets, in like manner as if a majority of said owners had consented to said paving.

SECTION 4. That the surveyor of the district of Moyamensing is hereby authorized to survey and lay out such and so many new streets within the south-western portion of the said district of Moyamensing, where proper streets are not already laid out, as in his judgment will be necessary to accommodate the inhabitants and land-holders thereof, laying the same at or as near to right angles with each other as the nature of the place, and a reasonable conformity to the streets already established, will admit of.

Surveyor of Moyamensing authorized to lay out streets, &c.

SECTION 5. The said surveyor shall have full power to revise the levels and grades of that part of the said district lying south of Prime street and west of Schuylkill Third street, and establish the lines and descents of the water courses thereof in the most direct manner the nature of the ground will admit of, having regard, however, to the regulations already made; a correct copy of which survey, with the heights and descents of the water courses carefully marked thereon, shall be by him deposited in the office of the clerk of the court of quarter sessions of Philadelphia county; and the judges of the said court are hereby authorized and empowered to examine the same, and after hearing the objections of any land-holders who may think themselves aggrieved, the said court shall at a time appointed, adjudge whether the same be fully and finally established, or whether any and what alterations shall be made thereon; and shall direct that the said plan or survey, together with their adjudication thereupon, be filed in the office of the clerk of the said court of quarter sessions; and the said survey and regulation shall be forever thereafter deemed and adjudged to be a part of the permanent regulations of the said district of Moyamensing.

Powers.

SECTION 6. That the said district surveyor shall be allowed the sum of three dollars for each and every day he shall be actually employed in the performance of the duties required by this act, and likewise be allowed such sums as may be necessary, not exceeding four dollars per day, to employ competent and proper persons to assist him in making said survey, all of which shall be paid in such manner as such surveys are usually paid.

Pay of.

SECTION 7. That a certain road or lane, commonly called Garlick Hall lane, in the district of Moyamensing, Philadelphia county, formerly extending from the Moyamensing road to the Passyunk road, and now crossing Delaware Fifth, Sixth, Seventh and Moore streets diagonally, and being also intersected by the Delaware and Schuylkill canal, be and the same is hereby vacated; and the soil thereof, to the middle of said road or lane, vested in the owners of the adjoining ground, on each side thereof respectively.

Garlick Hall lane, vacated.

SECTION 8. The county commissioners of Philadelphia county are hereby authorized and directed forthwith to draw, as road juries in the county of Philadelphia are drawn, a jury, who shall at as early a period as possible, proceed to assess the damage accruing to property by reason of the opening of Cherry street, from Queen street to West street, in the district of Kensington, in the county of Philadelphia; and the

Cherry street, relative to damages of.

report of the said jury shall be filed in the office of the clerk of the court of quarter sessions of the county of Philadelphia, and confirmed under the present existing road laws.

Girard avenue,
relative to dam-
ages of.

SECTION 9. That the report of the jury appointed to assess the damages to persons holding property, to be taken for public use in consequence of the opening of Girard avenue, in the county of Philadelphia, which report is filed of record in the office of the clerk of the quarter sessions for the county of Philadelphia, is hereby set aside; and the commissioners of the county of Philadelphia are hereby authorized and directed forthwith to draw, as road juries in the county of Philadelphia are drawn, a jury, who shall, at as early a period as possible, proceed to view and assess the damages on said Girard avenue, taking into consideration the advantages as well as the disadvantages, and shall report the same to the clerk of the court of quarter sessions of the county of Philadelphia; and the said damages, if any, shall be confirmed and paid in the same manner as damages are now paid under the present existing road laws, in the city and county of Philadelphia.

District of Penn,
relative to the
grades and levels,
&c., of.

SECTION 10. That the surveyors of the district of Penn. in the county of Philadelphia, be and they are hereby authorized and empowered to revise the levels and grades in the said district, and make such alterations therein as in their opinion the public convenience and interest may require, of which alterations they shall make a correct draft or plan, which shall be submitted to the commissioners of the district, and if approved by them, shall, after such notice as the court of quarter sessions shall direct, be submitted to the judges of said court, and if approved by them, shall be and remain unalterable; and a copy thereof shall be filed in the office of the clerk of the court of quarter sessions for the city and county of Philadelphia.

Robert R. Means
to be commission-
ed justice of the
peace for the bor-
ough of Brook-
ville, Jefferson
county.

SECTION 11. That Robert R. Means, elected a justice of the peace in the borough of Brookville, in the county of Jefferson, on Monday, the fourth day of March, one thousand eight hundred and fifty, shall be commissioned by the Governor within eighty five days after said election, and his term of office shall commence from and after the expiration of the commission of James Corbet, a justice of the peace in said borough.

Passyunk town-
ship, relative to
streets, lanes,
roads and alleys
in.

SECTION 12. That George Hollick, Marshall Sprogel and James Simons, are hereby appointed commissioners who, or any two of them, taking to their assistance a competent surveyor, shall have full power and authority, and they are hereby enjoined and required to survey the streets, lanes, roads and alleys already laid out in the township of Passyunk; and also to lay out such other streets, lanes and alleys in the township of Passyunk, as they may deem necessary for the convenience of the public and the future improvement of the district aforesaid; and it shall be the duty of the commissioners aforesaid, after having laid out the streets, lanes and alleys herein directed to be laid out, to make a correct plan or draft thereof, with the explanations necessary for the understanding of the same, and to return it to the court of quarter sessions of the county of Philadelphia; and it shall be the duty of the clerk to receive and file said plan or draft in his office for public inspection or examination, and to give public notice in at least two of the daily newspapers published in the city of Philadelphia, that on a certain day to be appointed by the court, they will hear any objections which may be made thereto by any of the freeholders of said district; and the said court shall at the time appointed, adjudge and determine whether any and what alterations shall be made therein, and thereupon they shall order and direct the said plan and alterations to be recorded, and the same to be fully and firmly

established ; and thenceforward the streets, lanes and alleys so approved, shall be deemed and taken as public highways.

SECTION 13. That in case of the death, resignation or refusal to serve of either of the commissioners herein named, the county commissioners shall appoint another in his stead, with like powers and duties. Vacancies, how supplied.

SECTION 14. That no portion of said district shall be surveyed by said commissioners which is embraced in any survey heretofore made : Former surveys not to be affected.
Provided, That the whole cost of said survey, drafts and explanations for the township of Passyunk, shall not exceed the sum of one thousand dollars.

SECTION 15. That when the survey authorized to be made by the thirteenth section of this act, shall have been made and approved by the court of quarter sessions, and filed therein, the cost of said survey shall be paid by the county commissioners of Philadelphia county. Pay of surveyor.

SECTION 16. That the Fellowship hose company of the borough of Germantown, county of Philadelphia, be and is hereby authorized to change their corporate name, and shall henceforth be known and called by the name, style and title of "Fellowship fire engine company of the borough of Germantown," and by that name shall be able and capable in law to exercise all the rights, privileges and immunities guaranteed to them in their act of incorporation, approved the fifth day of February, A. D., one thousand eight hundred and forty-nine, as they could have done by their former name if no change had been made. Fellowship hose company, name changed.

SECTION 17. That in order to simplify the costs of the clerk of the court of quarter sessions of the peace for the city and county of Philadelphia, in lieu of the various items now chargeable by law, he be allowed the sum of three dollars for services rendered by him on the trial of each true bill of indictment. Fees of the clerk of quarter sessions of Philadelphia city and county, relative to.

SECTION 18. That the election for the present managers of the Bustleton and Sommerton turnpike road company, held on the thirty-first day of December, one thousand eight hundred and forty-nine, be and the same is hereby declared to be valid and confirmed. Bustleton and Sommerton turnpike road company.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.