

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the representatives shall be chosen by the citizens of Philadelphia, and of the several counties, duly qualified at such time, in such manner, and at such places, as are prescribed by the constitution and laws of this state.

Passed April 22, 1794. Recorded L. B. No. 5, p. 217, &c.

CHAPTER MDCCLXXI.

AN ACT TO ERECT THE TOWN OF PITTSBURG, IN THE COUNTY OF ALLEGHENY, INTO A BOROUGH, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Whereas the inhabitants of the town of Pittsburg, in the county of Allegheny, have, by their petition, prayed to be incorporated, and that the said town and its vicinity, as hereafter described, should be erected into a borough. And whereas it may contribute to the advantage of the inhabitants of the said town, as also to those who trade and resort there, and be of public utility, that nuisances, encroachments of all sorts, contentions, annoyances, and inconveniences, in the said town and its vicinity, should be prevented. And for the promoting of rule, order and good government in the said town:

[Section I.] (Section I, P. L.) 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 said town of Pittsburg shall be, and the same is hereby, erected into a borough, which shall be called the borough of Pittsburg forever, the extent of which said borough of Pittsburg is and shall be comprised in the following boundaries, to wit: Beginning at the point or confluence of the rivers Allegheny and Monongahela, and running up the northeast beach of the said river Monongahela, south fifty-seven degrees east, thirty-nine perches, to Short Street; thence south sixty-four degrees east,

two hundred and seven perches, to Grant Street; thence South seventy-four degrees east, forty-nine perches, to the mouth of Sukes run; thence north thirty degrees east, one hundred and fifty perches, to a post in Andrew Watson's field; thence north nineteen degrees west, one hundred and fifty perches, to the river Allegheny; thence down the said river Allegheny, south seventy-one degrees west, three hundred and fifteen perches, to the place of beginning.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the freeholders and other inhabitants, housekeepers in the said borough of Pittsburg, shall have power, on the third Monday in May in every year, to elect two fit persons, to be burgesses of the said borough, who shall be freeholders therein; and that the person having the greatest number of votes shall be styled the chief burgess; and also to elect four suitable persons assistants, for advising, aiding and assisting the said burgesses in the execution of the powers and authorities hereby given them, and also to elect a high constable and town clerk, who shall be residents in the said borough of Pittsburg.

Provided, That no person shall be entitled to vote in the election, or to be elected to any of the said offices, unless he shall have been a resident in the said borough of Pittsburg at least one whole year previous to the time of such election.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said burgesses, freeholders and inhabitants within the said borough, and their successors forever hereafter, shall be one body politic and corporate, in deed and in law, by the name of "The burgesses, freeholders and inhabitants of the borough of Pittsburg, in the county Allegheny;" and they, and their successors, shall have a perpetual succession, by the name of "The burgesses, freeholders and inhabitants of the borough of Pittsburg, in the county of Allegheny;" and by that name shall, at all times hereafter, be persons able and capable in law to have, take, receive and possess lands, tenements, rents, liberties, jurisdiction, franchises and hereditaments, to them and their successors, in fee simple, or for term of life, lives, years or otherwise, and also goods and chattels, and

other things, of what nature or kind soever; and also to give, grant, let, sell and assign the said lands, tenements, hereditaments, goods and chattels, and to do and execute all other things about the same, by the name aforesaid; and they shall forever hereafter be persons able and capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any of the courts within this commonwealth, in all manner of actions, suits, complaints, pleas, causes and matters whatsoever, and it shall and may be lawful to and for the said burgesses, freeholders and inhabitants of the borough of Pittsburg aforesaid, and their successors forever hereafter, to have and use one common seal, for sealing of all acts and instruments respecting any business, of what nature or kind soever, touching the said corporation, and the same from time to time, at their will, to change and alter.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for such of the burgesses, constables, assistants, freeholders, and other inhabitants, housekeepers in the said borough, who shall have resided within the said borough for at least one whole year next preceding any such elections as are hereinafter directed, on the third Monday in May, in the year of our Lord one thousand seven hundred and ninety-four, and on the same day yearly thereafter forever, publicly to meet at the market house within the said borough, and then and there to nominate, elect and choose, by ballot, two able freemen of the inhabitants of the said borough, having an estate of freehold therein, to be burgesses, one to be constable, and one to be town clerk, and four freeholders, as aforesaid, to be assistants within the same, for assisting the said burgesses in managing the affairs of the borough, and in keeping the peace and good order therein; which election shall be held, from time to time, by the high constable of the preceding year, and the names of the persons so elected shall be certified, under his seal, to the governor of the commonwealth, for the time being, within thirty days next after such election; and the burgess who shall have the majority of votes, shall be called the chief burgess of the said borough but if the votes should be equal, the governor shall determine which shall be chief burgess; and if the

freeholders and others of the said borough shall neglect or refuse to choose burgesses and the said other officers in manner aforesaid, that then it shall and may be lawful for the governor to nominate, appoint and commissionate burgesses, constables, town clerk and assistants for that year, to hold and continue in their respective offices until the next time of annual election appointed as aforesaid, and so often as occasion shall require.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the burgesses, freeholders and inhabitants of the said borough, and their successors, to have, hold and keep, at the place erected for that purpose within the said borough, two markets in each week, that is to say: one market on Wednesday, and one market on Saturday, in every week of the year forever; and there shall be a clerk of the market appointed by the burgesses and assistants of the said borough, who shall have the assize of bread, wine, beer, wood, coals, hay, [corn] and other provisions, brought for the use of the inhabitants, and who shall and may perform all things belonging to the office of the clerk of the market within the said borough, and shall be removable by the burgesses and assistants as aforesaid, and another from time to time appointed and removed, as they shall find necessary.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the burgesses, freeholders and inhabitants of the said borough of Pittsburg, respectively, shall forever enjoy all the powers, jurisdictions, exclusions, authorities and privileges and be subject to the same qualifications, restrictions, penalties, fines and forfeitures, within the said borough, as are enjoyed by and limited to the burgesses and inhabitants of the borough of Reading, in the county of Berks, by virtue of an act of general assembly passed the twelfth day of September, in the year of our Lord one thousand seven hundred and eighty-three,¹ or such part thereof as is now in force, except only, that the said borough of Pittsburg shall not be a separate election district, but the election districts in the said county of Allegheny shall be as heretofore provided by law.

Passed April 22, 1794. Recorded L. B. No. 5, p. 272, &c.

¹Chapter 1031.