

CHAPTER MMXVI.

AN ACT TO ERECT THE TOWN OF GREENSBURG, IN THE COUNTY OF WESTMORELAND, INTO A BOROUGH.

[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 town of Greensburg, in the county of Westmorland, shall be, and the same is hereby, erected into a borough, which shall be called the borough of Greensburg, and shall be comprised within the following boundaries, to wit: Beginning at a white oak corner in William Jack's land, by a line running north twenty degrees east thirty-three perches, to William Best's land; thence west along said line of William Best one hundred and seven perches and a half, to a post on George Oderman's land; thence by land of the said George Oderman and Back street south sixteen degrees east twenty-eight perches to a post adjoining said Oderman's land and a lot of William Barnes; thence south seventy-four degrees west twelve perches to a post adjoining said Oderman's land and William Barne's lot; thence by land of said George Oderman south sixteen degrees east fourteen perches to a post; thence south seventy-four degrees west twenty-four perches to a post; thence by land of the said George Oderman south sixteen degrees east thirty-three perches to a post; thence north seventy-four degrees east eleven perches to a post adjoining James Waterson's land; thence by land of the said James Waterson and James Guthrie south sixteen degrees east eighty-eight perches to a post; thence by land of James Guthrie south eighty-two degrees east forty-four perches to a post; thence by land of Robert Williams, Christopher Truby and William Jack north thirteen degrees east one hundred and forty-one perches to the place of beginning.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the freemen of the said borough, who shall have resided within the same six months and shall in other respects be entitled to vote for members of the general assembly of this commonwealth, shall, on the first Monday of May next, and on that day in every year thereafter, meet together, at the court house in the said borough, and then and there choose by ballot two reputable freeholders, inhabitants of the said borough, to be burgesses, and three reputable persons to serve as assistants for advising, aiding and assisting the said burgess in the execution of the powers and authorities hereby given them, and also to elect a high constable and a town clerk; all and every of which persons shall be residents in the said borough, and shall be duly qualified to elect as aforesaid, and the person which shall have the greatest number of votes for burgess shall be called the chief burgess.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the election for the officers aforesaid shall be holden in the following manner, to wit: the constable of the town of Greensburg in the present year, and the high constable so as aforesaid elected or appointed, in the manner hereinafter mentioned, in every succeeding year, shall give notice of such election, at least six days before the time appointed for holding the same, by advertisement set up at six or more of the most public places within the said borough, and at the election to be holden the present year, the town constable and two reputable freeholders, to be chosen by the electors of the said borough for that purpose, and at every succeeding election, the burgesses and assistants shall hold the said election, receive and count the ballots, and declare the persons duly elected; whereupon duplicate certificates of the persons so elected shall be signed in the present year by the two freeholders chosen as aforesaid, and in every succeeding election by the said burgesses, one whereof shall be transmitted to the clerk of the court of quarter sessions of the county, within twenty days after the said election, and the other filed among the records of the corporation; and at any election held as above directed,

should the two persons highest in vote for burgess have an equal number of votes, the next court of quarter session shall declare who shall be the chief burgess; and if it shall at any time so happen, through neglect or otherwise, that no election shall be holden on that day, or in the mode herein prescribed, it shall be lawful for the court of quarter sessions, and it is hereby required forthwith to appoint the burgess, assistants, high constable and town clerk aforesaid, who shall thereupon be fully invested with the power and authorities to their respective offices appertaining, and the burgesses and other officers so appointed or elected shall hold and execute their respective offices, until the first Monday in May next ensuing their appointment or election, or until others shall be duly elected or appointed in their stead.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the burgess and assistants so chosen, or a majority of them, shall have full power and authority to make such ordinances, rules and regulations, as may be necessary for improving and keeping in order the streets and alleys within the said borough, and removing nuisances or obstructions therefrom, and the same to annul, alter or make anew, as occasion may require, and also to assess, levy and collect a tax for the said purposes, and shall have all other powers necessary for the well ordering and better government of the said borough. Provided, That the said ordinances, rules or regulations, shall not be repugnant to the constitution and laws of this commonwealth. And provided also, That no tax shall be laid by them, in any one year, to exceed one cent in the dollar on the valuation of taxable property taken from the last assessment, until the same is agreed to by a majority of the electors, at the town meeting assembled for that purpose, called together by the said burgess and assistants, or by a request in writing of at least six of the inhabitants of said borough, duly qualified to elect as aforesaid, to the said burgess, who shall require the high constable to give five days' notice of such intended town meeting, by advertisements fixed up in not less than six of the most public places within the said borough, noti-

fyng the time, place and object of the said town meeting; and all taxes which may be assessed or laid within the said borough shall, as near as the same is practicable, be conformable to the laws for raising county rates and levies.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said burgesses and free-men, duly qualified to elect as aforesaid, and their successors forever hereafter, shall be one body politic and corporate, in and by the name of "The Burgesses and Inhabitants of the Borough of Greensburg, in the County of Westmoreland." shall have perpetual succession, and they and their successors, by the name of the burgesses and inhabitants of the borough of Greensburg shall, at all times hereafter, be persons able and capable in law to have, get, receive and possess lands, tenements, rents, liberties, jurisdictions, franchises and hereditaments, to them and their successors, in fee simple or for term of lives, life, 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 same lands, tenements, hereditaments, goods and chattels, and to do and excute 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, and answer and be answered unto, defend and be defended, in all or any courts within this commonwealth, in all manner of actions, suits, complaints, pleas, causes and matters whatsoever; and that it shall and may be lawful to and for the said burgesses and inhabitants aforesaid, and their successors forever hereafter, to have and to use one common seal, for sealing of all business whatsoever touching the said corporation, and the same from time to time, at their will, to change and alter; and the said burgesses and assistants shall have full power to appoint such other officers within the said borough, as shall be necessary to carry into complete effect the provisions of this act.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said burgesses and assistants to lay off a portion or piece of

ground, on the square of the said borough lying south and east of the public gaol, sufficient in extent for the purpose of erecting a market house, and it shall and may be lawful to extend the said market house eight feet on the street leading to Pittsburg, if it be found necessary. Provided always, That eight feet at least shall be left between the said market house and the public buildings.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That if any person, an inhabitant of the said borough and duly qualified to elect as aforesaid, shall be elected to the office of burgess, and, having notice of his election, shall refuse to undertake and execute that office, every person so refusing shall forfeit and pay a fine of twenty dollars; and if any person, duly qualified as aforesaid, shall be duly elected to any other office in the said borough created by this act, and, having notice of his election, shall refuse to undertake and execute the duties of that office, every person so refusing shall forfeit and pay the sum of ten dollars; which fines and forfeitures, and all others in pursuance of this act, or of the by-laws of the said burgesses and inhabitants, shall be recovered before the acting burgess, or any justice of the peace of that county, for the use of the said corporation; and in any such case or refusal, the acting burgesses shall issue their process, directed to the high constable, requiring him to hold an election for the choice of some other fit person or persons, in the stead of such as shall refuse. Provided always, That if any person or persons shall conceive him or themselves aggrieved by the judgment of the burgesses, or any justice, by virtue of this act, he or they may appeal to the next county court of common pleas, who shall, on the petition of the party, take such order therein, as to them shall appear just and reasonable, and the same shall be conclusive to all parties.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the chief burgess shall make and subscribe an oath or affirmation before one of the associate judges, or a justice of the peace for the county of Westmoreland, to support the constitution of the United States and

of this state, and an oath or affirmation well and truly to execute the office of chief burgess of the borough of Greensburg; and when so qualified, he shall administer an oath or affirmation to the other burgess, assistants, high constable and town clerk, in manner and form aforesaid, before they shall enter on the duties of their respective offices.

Passed February 9, 1799. Recorded L. B. No. 6, p. 322.

CHAPTER MMXVII.

A SUPPLEMENT TO AN ACT, ENTITLED, "AN ACT TO PROVIDE FOR THE ERECTION OF HOUSES FOR THE EMPLOYMENT AND SUPPORT OF THE POOR, IN THE COUNTIES OF CHESTER AND LANCASTER."¹

[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 directors of the poor of the counties of Chester and Lancaster, respectively, are authorized and empowered to sell and convey, to any person or persons, any quantity of the land already purchased by the said directors, not exceeding one hundred and fifty acres of the land purchased in the county of Chester, nor two-thirds of the land purchased in the county of Lancaster; and the money arising from such sale the said directors of each county shall apply to the use of their respective counties, in the support of the poor, or for the erection of the buildings for their reception.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the commissioners of the counties of Chester and Lancaster, respectively, are hereby authorized and empowered to pay to the persons who were appointed by the act, to which this is a supplement, to fix the places where the buildings for the accommodation of the poor in the aforesaid counties should be erected, such sum of money, as will

¹Passed February 27, 1798, Chapter 1971.