

[No. 27.]

SUPPLEMENT

To an act, entitled "An Act to incorporate the borough of Marietta, in the county of Lancaster," passed February fifteenth, one thousand eight hundred and thirty-four.

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 whenever application shall be made, by petition, to the town council of said borough, for curbing and paving the whole or any part of the footways of any public street, lane, court, or alley, within the said borough, it shall and may be lawful for the said town council, if they deem such curbing and paving expedient, to require the same to be curbed and paved by the owners of the ground, fronting thereon, at their own costs, respectively, agreeably to such regulations as may then exist, in such manner, and at such times, and under such directions, provisions or restrictions, as the town council may make or adopt. Paving curb
ing &c.

SECTION 2. If the owner or owners, or person or persons having the charge of any ground, fronting on any footway, so as aforesaid directed to be curbed and paved, in whole, or in part, shall neglect or refuse to have the footway in front of such ground, so curbed and paved, for the space of twenty days after he, she, or they, shall have been thereunto required by the chief burgess or assistant burgess of the said borough, then it shall and may be lawful for the said chief or assistant burgess, to cause such footways to be paved and curbed, and to recover the amount of the expense thereof, and the costs of suit, by an action, in the name of the chief burgess, assistant burgess and town council of the borough of Marietta, before any justice of the peace or court having jurisdiction, of the amount of such expense; and the tenant in possession is hereby authorized to pay the same, and defalk the amount thereof, against the rent which may be then due, or thereafter become due, for such ground, and the same when recovered, shall be paid into the treasury of the said borough, for the use thereof: *Provided,* That no owner shall be obliged to Penalty for
neglect of pa-
ving &c. pave or curb, or defray the expense of curbing or paving any footway of a greater breadth than three feet in front of any lot, whereon a dwelling house shall not be erected, and that Proviso

said paving in front of any lot, whereon no dwelling house shall be erected, may be done with bricks, flag-stones or gravel, at the option of the owner.

Penalty for
not repairing
streets &c.

SECTION 3. If the owner or owners, or person or persons, having the charge or possession of any ground, fronting on a footway, wholly or partially paved, shall suffer the same to be out of repair, and shall neglect, for the space of twenty days after he, she, or they, shall have been required by the chief burgess, assistant burgess, or other officer of the said borough, to put the said footway in good repair, then it shall be lawful for the chief or assistant burgess to cause such footway to be repaired, and proceedings shall be the same as authorized in the second section of this act, as to curbing and paving, to recover the expense thereof, and costs aforesaid.

Swine &c

SECTION 4. It shall not be lawful for any swine, hogs, shoats, or pigs, to go at large on the streets, lanes, courts, or alleys, in the said borough, whether yoked, or ringed, or not; but if any such shall be found running at large, on said streets, lanes, courts, or alleys, such swine, hogs, shoats, or pigs, shall be taken up and impounded by the high constable, or such other officer as the town council may authorize, and the owner or owners of such swine, hogs, shoats, or pigs, so taken up and impounded, shall forfeit and pay, for the benefit of said borough, a fine not exceeding twelve and a half cents per head, for each and every such head of swine, hogs, shoats, or pigs, so taken up and impounded, together with the costs of feeding the same; and if the said swine, hogs, shoats, or pigs, taken up and impounded, should be forcibly taken or let out of the said pound, it shall be lawful for said high constable, or other officer, who may have impounded the same, to take the same in any place within the county of Lancaster, and sell them in the same manner as though they had not been taken or let out of said pound, as is hereinafter provided:—and if said fine and costs of feeding be not paid within the space of twenty-four hours after such swine, hogs, shoats, or pigs, are impounded, then it shall be the duty of the high constable, or other officer having impounded the same, to advertise the same for public sale, at the expiration of five days, by at least three advertisements, put up in some public houses, in said borough, and proceed to sell the same for the best price that can be got, and after deducting his legal fees for feeding and selling the same, he shall forthwith pay the balance into the treasury of said borough; and the treasurer, shall, on application of the owner or owners of such swine, hogs, shoats, or pigs, so sold, first deducting the fine aforesaid, pay the balance to said owner or owners, if applied for within one year after such sale, and if not applied for within

Impounding

Sale of im-
pounded pro-
perty

the said term of one year, the same shall become forfeit to said borough, and be applied to the use of said borough; *Provided*, That the town council by ordinance may permit swine, hogs, shoats, or pigs, to run at large during such time in each year, as they may deem expedient.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

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

DAVID R. PORTER.

[No. 28.]

AN ACT

To authorize certain trustees to sell and to convey certain real estate.

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 Francis M'Bride, of Butler Trustee of county, trustee of John Duffy, of said county, is hereby John Duffy to authorized to sell and convey the whole or a part of a tract or sell real estate piece of land, situate in said county, and heretofore held in trust for the use of the said John Duffy, and the sale and deed made by said trustee shall be held good and valid to all intents and purposes: *Provided*, That before the execution of such deed, the sale shall be approved by the court of common pleas of said county, and the said trustee shall give such security for the faithful application of the proceeds of sale under the order of said court, as shall be approved by said court.

SECTION 2. That Jacob Henshu, James Scott, G. A. Kirkpatrick and Andrew Stoughton, or a majority of them, trustees of the German Reformed, the Presbyterian, the Baptist and the Methodist Episcopal church, in and near the village of Prospect, in the county of Butler, are hereby authorized to release and convey unto William Forester, Lewis Roth, John Dodds, (of William,) Thomas Sullivan, George P. Robeson