

House of Assembly, February 12th, 1831.

This engrossed bill having been read as amended in the Council,

Resolved, That the same do pass.

By order of the House,

ALEXR. WURTS,
Speaker of the General Assembly.

STATE OF NEW JERSEY.

I, James D. Westcott, Secretary of the state of New Jersey, do hereby certify that the foregoing is a true copy of one of the laws of said state, entitled "An act to incorporate the Taylorsville Delaware Bridge Company," passed 14th February, A. D. 1831, on file in my office.



Given under my hand and the seal of said office, at the city of Trenton, this eighteenth day of February, A. D. 1831.

JAMES D. WESTCOTT.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 151.

AN ACT

Relative to certain streets and alleys in the city of Pittsburg, and for other purposes.

SECT. 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 court of quarter sessions, of the county of Allegheny, on being petitioned to grant a view, for the purpose of ascertaining the propriety of opening and extending Ferry street, in the city of Pittsburg, through from Fourth to Liberty streets, shall have power, and by virtue of this act, are directed and required in open court, to order and appoint nine discreet and disinterested citizens, who being first sworn or affirmed, shall, together with the commissioners of the county for the time being, or a majority of them, view the Ferry, from Fourth to Liberty streets, how opened and extended.

ground proposed for opening said street, and if they or any ten of them view the said ground, and any seven of the actual viewers, exclusive of the county commissioners, agree that there is occasion for said street to be opened, they shall proceed to lay out the same, as agreeably to the desire of the petitioners as may be, in such manner as to do the least injury to private property, and shall make report thereof, stating particularly whether they judge the same necessary, together with a plot or draft thereof to the next court of quarter sessions, and if then and there the court aforesaid shall approve of the same, it shall be entered on record, and thenceforth shall be deemed taken and allowed to be a public street, compensation being first made to the owners of the ground or other property, as hereinafter directed: *Provided*, That the extension of said street, shall not be opened more than forty feet wide.

Proviso.
Width.

Upon report
of viewers in
favor of open-
ing, how
damages
shall be
ascertained,
apportioned,
&c.

SECT. 2. *And be it further enacted by the authority aforesaid*, That on the return of the viewers in favour of opening said street, and its approval as aforesaid, the said court shall appoint twelve discreet and disinterested citizens, who being first sworn or affirmed, shall enquire what damages the owner or owners of lands, houses, or other property shall or may sustain, by reason of the same being taken, used and appropriated for the purpose aforesaid, taking into consideration the advantages that may accrue to, or be derived by the persons petitioning from, and by reason of opening and extending said streets, and the said viewers, shall further proceed to ascertain the names of all the owners of lots or parts of lots, including the county of Allegheny, who may receive any benefit or increase of value to their property, adjacent to said street, and the said viewers, shall (after deducting one third the amount of said damages, to be paid by the city of Pittsburg,) apportion the amount thereof fairly and equitably, upon each of the said owners of property so benefited, (including the county of Allegheny,) in proportion to the value to each of said lots or parts of lots, respectively accruing, and the said viewers shall file the said appraisement and apportionment, thus made, in the said court, to be recorded at large upon the docket of said court, which thereupon shall bind and conclude all parties, owning or claiming to own the premises affected by this act, or the proceedings under it; and the sums therein specified to be payable, shall be and remain a lien upon each lot or parts of lots, to the extent of the assessment, and charge thereon until duly satisfied and paid: *Provided always*, That the said street shall not be opened, until the select and common councils of said city, shall order the payment of the one third of said damages, above required to be paid by them.

Proviso.
One-third da-
mages to be
paid before o-
pening street.

SECT. 3. *And be it further enacted by the authority aforesaid*, That the select and common councils of the city of Pitts-

burg, shall have power and authority to erect a market house or houses, within any street or streets, of sufficient width for that purpose, as they may think expedient and proper.

Councils authorised to erect market houses.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the location of Grant street, in the city of Pittsburg, from the line of Sixth street to Liberty street, shall be fixed and established according to the regulation of the borough of Pittsburg, by which it coincided with Washington street, at their junction, agreeably to the plan of said city by Colonel George Woods; and that the location of Cherry alley, from the line of Sixth street to Liberty street, in said city, shall be fixed and established according to the regulations of the borough of Pittsburg, by which it has been opened and regulated for more than twenty-one years previous to the date of this act; and that all the lots, and parts of lots, regulated or fixed according to the lines of the streets and alley above fixed and established, shall remain as they were during the time Cherry alley was opened and used, in the manner aforesaid.

Location of Grant street.

Of Cherry alley.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the court of common pleas of Allegheny county, are hereby authorised and required, to appoint three judicious and disinterested citizens of this commonwealth, whose duty it shall be to ascertain the names of all the owners of lots, or parts of lots, having any surplus ground within the boundaries above mentioned; and also, the names of all the owners of lots, out-lots, or parts of lots, on Grant-street, who may, by the locations as herein established, lose any portion thereof; and it shall be the duty of the said commissioners, to ascertain and appraise the value of said loss or deficiency, in each of the last mentioned lots or parts of lots; and the said commissioners shall levy and assess the amount of said deficiency, upon the owners of said surplus ground, apportioning the amount thereof fairly and equitably upon each of said owners, in proportion to the value of the surplus ground gained by them, and shall file the said appraisement and apportionment thus made, in the court of common pleas of said county, to be recorded at large on the docket of said court, which thereupon shall bind and conclude all parties owning, or claiming to own, the premises affected by this act; and the proceedings under it, and the sums therein specified to be payable, shall be and remain a lien upon each lot, or parts of lots, to the extent of the assessment, and charge thereon; and unless paid into the city treasury in one year thereafter, the lot or parcel of ground may be levied on and sold, under a writ of *levari facias*, issued in the name of the mayor, aldermen, and citizens of Pittsburg; the moneys so assessed and paid into the city treasury, shall be paid over to the proprietors or claimants

Settlement of damages sustained by lot holders.

of the said lots on Grant-street, or to the then legal representatives, according to the appraisement aforesaid.

Relative to
payment of
portion of da-
mages on
Grant street
by city.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the said commissioners shall be, and are hereby authorised, to enquire and examine whether it will be equitable and just for the said city of Pittsburg to be charged with any portion of the amount of the deficiency in said lots on Grant street, by reason of the change in the regulations of said city; and that the sum assessed by them, (if any,) chargeable to said city, shall be paid by said city, and deducted from the aggregate of the appraisement of the said deficiency.

Relative to
lots including
limits not
originally
embraced.

SECT. 7. *And be it further enacted by the authority aforesaid,* That where any lot, or part of a lot, within said boundaries, has been sold or leased by specific boundaries, expressly including ground not embraced in the original dimensions of the lots, as sold by the late proprietors of Pennsylvania, or their agents, the appraisement above mentioned, and return thereof to the court aforesaid, shall be considered an eviction in law, of the owner or claimant of the surplus ground appraised as aforesaid, so far as to enable the purchaser or lessee of such surplus ground to resort to his vendor or lessor, upon any covenant or warranty contained in his deed.

Hudson's lane
in Philadel-
phia county
may be ex-
tended.

SECT. 8. *And be it further enacted by the authority aforesaid,* That Hudson's lane, in the township of Moyamensing, in the county of Philadelphia, be, and the same is hereby extended in width, to the north line of Christian-street, in the district of Southwark, to be continued of the same width from Passyunk road to the river Schuylkill; the said street or lane to be opened, whenever the court of quarter sessions for the county of Philadelphia shall think the same necessary for public convenience; the damages, if any should be sustained in opening the said street or road, to be assessed and paid in the same manner as damages are paid out of the treasury of Philadelphia county, under the existing road laws of this commonwealth.

Damages to
be paid out of
county trea-
sury.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The first day of April, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.