

No. 16.

A SUPPLEMENT

To an act entitled "An act erecting the towns of Allegheny, Birmingham, Franklin and Northumberland, into boroughs, and to give effect to the act incorporating the borough of Elizabethtown, in the county of Lancaster."

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 in addition to the powers and privileges granted to the borough of Franklin, in and by the act to which this is a supplement, the said borough of Franklin is hereby erected into a separate township, to all intents and purposes, and it shall and may be lawful for the citizens thereof to elect assessors, overseers of the poor, town clerk and all officers necessary to the assessing and collection of county rates and levies, and the collection and application of road taxes and otherwise, incident to a separate township, as fully and effectually as the citizens of any of the townships of this commonwealth may or can now do by law: *Provided,* That nothing herein contained shall be so construed as to alter or interfere with the mode of electing a constable for said borough, as now provided by law.

Borough of
Franklin
erected into a
separate
township.

Proviso.
Election of
constable.

JOHN LAPORTE,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

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

GEO. WOLF.

No. 17.

AN ACT

Authorising the laying out of streets and roads in the township of Passyunk, in the county of Philadelphia.

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 Thomas D. Grover, William G. Alexander

Commissioners to make
surveys.

and Frederick G. Wolbert be, and are hereby appointed commissioners, who, or any two of them, taking to their assistance an able surveyor, shall have full power and authority, and are hereby enjoined and required to survey the streets, roads and lanes laid out and within the following bounds, to wit, beginning at the west end of Cedar street, and continuing on the south side thereof, to the western boundary of the township of Moyamensing, thence southward along the said township line to Buck road; thence westward along the said Buck road to the river Schuylkill, thence along the said river to the place of beginning, and also to lay out such other streets and roads within the said district, as they shall deem necessary for the convenience of the public and the inhabitants thereof, and it shall be the duty of the said commissioners, after having made such survey, and laid out such streets and roads as they shall deem proper, as aforesaid, to make or cause to be made a correct draught or plan thereof, with every explanation necessary for the perfect understanding of the same, and return it to the court of Quarter Sessions for the county of Philadelphia, and it shall be the duty of the clerk of said court to receive and file the said draught or plan in his office, for public inspection and 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, the said court will hear any objections that may be made thereto by any of the freeholders residing within the said district, who shall consider themselves aggrieved, and the said court shall, at the time appointed, adjudge and determine whether the same shall be fully and finally established, and direct the said draught or plan, with such alterations as shall be made, to be recorded, and from thenceforth all the streets, lanes and roads so approved, shall be for ever hereafter deemed, adjudged and taken public highways.

Draught to
be filed,

Appeal of per-
sons aggriev-
ed.

Governor to
fill vacancies
in board of
commission-
ers.

SECT. 2. *And be it further enacted by the authority aforesaid,* That in case of death, resignation or refusal to serve, of any of the said commissioners, the Governor shall appoint one or more proper person or persons, to supply his or their place or places, from time to time, until the end of this act, shall be fully answered, which person or persons so to be appointed shall have the same powers as if he or they were named in this act.

Compensation
of commis-
sioners.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the commissioners of the county of Philadelphia be authorised, and are hereby required to pay to the commissioners appointed or to be appointed, for the purposes named in this act, out of the county treasury the sum of two dollars for each and every day they shall be employed in performing the duties by this act required, and also their reasonable costs and charges in procuring the surveys and draughts

herein before directed to be made: *Provided*, The commis-
 sioners shall perform the duties required of them within one
 year from and after the passage of this act.

AND WHEREAS the public convenience will be at present
 answered by the certain knowledge where and in what man-
 ner such streets, roads and lanes will in future run, but it
 will not be necessary immediately to lay them all open; in
 order therefore to provide for the opening of the same from
 time to time, as the increasing improvements may require:

SECT. 4. *Be it further enacted by the authority aforesaid*,
 That upon the petition of any number of the citizens of
 said township, not less than twenty, whose lands lie near or
 adjoining to such streets, roads or lanes, it shall and may be
 lawful to and for the court of Quarter Sessions of Philadel-
 phia county, after hearing the petitions, and such freeholders
 through whose land such street or road shall pass, as shall
 offer objections thereto, to appoint viewers to report whether
 it be proper at the time to open such street or road, and if
 they shall be of opinion that the state of improvement in the
 neighborhood thereof shall require it, they shall issue an
 order to the supervisors of the roads in the township of Pas-
 syunk, requiring and enjoining them to open such street
 or road, and to cause the same to be put in order and kept
 in repair in the same manner as other streets or roads are
 by law to be opened, repaired and maintained, and the own-
 er or owners of ground through and over which any of the
 streets or roads shall pass shall proceed in the same manner
 to obtain indemnification for any injury they may sustain
 thereby as if the said streets or roads had been opened in the
 manner usually pursued for opening roads.

JOHN LAPORTE,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The twenty-fourth day of January, A. D. one
 thousand eight hundred and thirty-two.

GEO. WOLF.