

this act, either in whole or in part, as may respect any railroad constructed under the provisions of this act.

JOHN LAPORTE,
Speaker of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini, eighteen hundred and thirty-two.

GEO. WOLF.

No. 190.

A FURTHER SUPPLEMENT

To an act entitled, "An act to appoint commissioners to regulate the streets, lanes and alleys, in the district of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned through the said district and parts of the townships of Moyamensing and Passyunk," passed the twenty-ninth day of September, one thousand seven hundred and eighty-seven.

Preamble,
relative to a
plan of the
streets, &c. in
Southwark.

WHEREAS, in the report and plan of the commissioners appointed by the act to which this is a supplement, it is declared that the streets and ways on the said plan, which are colored with yellow, are intended to show the direction of the several streets which may hereafter be laid, and prove a convenience in the improvement and division of estates in those parts of the district, and prevent further irregularities in buildings: *And whereas*, the said plan, agreeably to the directions of the said act, is the public plan of the said district, and is recorded in the office for recording of deeds for the county of Philadelphia: *And whereas*, it is proper to provide for the opening of the said streets and ways, from time to time, as the increasing improvements shall require:

Certain
streets, &c.
declared high-
ways.

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 all the streets, lanes, alleys and roads, on the said plan, laid out and coloured with yellow as aforesaid, shall henceforth and forever be, and shall be adjudged and taken to be public highways, for the use of the inhabitants of this commonwealth.

SECT. 2. *And be it further enacted by the authority aforesaid,* That upon the petition of any number of freeholders of the district of Southwark, not less than seven, whose lands lie near to or adjoining any of the said streets, lanes, alleys or roads, on the said plan, marked with yellow as aforesaid, to open any one or more of such streets, lanes, alleys or roads, it shall and may be lawful to and for the court of Quarter Sessions of the county of Philadelphia, after hearing the petitioners and such other freeholders through whose lands any such street, lane, alley or road may pass, as shall make objections thereto, to determine whether it will be proper, at the time, to open such street, lane, alley or road, and if the said court shall think it proper at the time to open any such street, lane, alley or road as aforesaid, then the said court is hereby required to designate, in their order for opening the courses and distance, and the width of any such street, lane, alley or road so opened: *Provided,* the same shall not exceed in width one hundred feet; and the said court is also required to appoint twelve discreet and reputable citizens, neither of whom shall reside or own real estate within the said district of Southwark, who, or any ten of whom being first sworn or affirmed, shall enquire what damages the owner or owners of any lands, houses or other property, shall or may sustain by reason of the same being taken, used and appropriated for the purpose aforesaid: *Provided always,* it shall be the duty of the said citizens, in assessing damages, to consider the advantages which may accrue to the owner or owners of such lands or other property by reason of the opening of any such street, lane, alley or road: *And provided further,* That no damages shall be assessed or paid for any house, houses or improvements, that shall have been erected or constructed subsequently to the passage of this act, upon ground over which any street, alley, lane or road is by this act laid out as a public highway.

SECT. 3. *And be it further enacted by the authority aforesaid,* That upon the return and assessment of damages as aforesaid, for ground, houses or other property taken for any such public street, alley, lane or road as aforesaid, and the said court of Quarter Sessions having approved of the same, the amount of damages awarded by the said viewers, shall be paid by the treasurer of the said county, and the said court shall direct the commissioners of said district to stay the opening of the said road, street, lane or alley, until the amount of the damages so awarded shall be fully paid and satisfied by the county treasurer aforesaid: *Provided always,* That unless the same shall be paid within one year next after the confirmation by the court of the return made by the viewers as aforesaid, all such proceedings aforesaid shall be void and of no effect whatever.

Opening of streets, &c. from time to time upon petition of freeholders.

Proviso. Width limited.

Jury to assess damages.

Advantages to be considered.

No damages to be allowed for improvements hereafter made.

Upon confirmation of report county treasurer to pay damages.

Proviso. If not paid within 1 year, proceedings annulled.

Contingent vacation of portions of Greenwich street and Greenwich point house road.

Southwark commissioners authorized to guarantee to stockholders of Southwark rail-road co. 6 per cent. int. on certain expenditure.

SECT. 4. *And be it further enacted by the authority aforesaid,* That as soon as, and whenever a certain street in the district of Southwark, in the county of Philadelphia, called Church street, and marked on the public plan of the said district, shall be opened as a public street or highway from Franklin street, (which Franklin street is also marked on the said plan, and is now a public street) to the southern boundary of the said district, that then and immediately thereafter, so much of a certain street on said plan marked, called Greenwich street, as lies and is situate between the east side of Delaware Front street, and the north side of the said Franklin street, and so much of a certain road in the said district, called Greenwich Point house road, as lies and is situate between the south side of the said Franklin street, and the southern boundary of the said district of Southwark, shall be and are hereby declared to be vacated as public streets or highways.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the board of commissioners of the district of Southwark be, and they are hereby authorized to guarantee to the stockholders of the Southwark rail road company, the amount of deficit on the interest of the stock, not exceeding six per centum per annum on the amount expended for constructing said rail-road from the corner of Broad and Cedar streets to the river Delaware.

JOHN LAPORTE,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini eighteen hundred and thirty-two.

GEO. WOLF.

No. 191.

AN ACT

For the relief of Jacob Booz and Eberhart Ohl, soldiers of the revolutionary war.

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 State Treasurer be and he is hereby authorized and required to pay to Jacob Booz of Montgomery county, or to his order, forty dollars as a gratuity for his revolutionary services.

\$40 gratuity granted to J. Booz.