

of forty dollars to each during life, payable half yearly, to commence on the first day of January, one thousand eight hundred and thirty-four.

WM. PATTERSON,

Speaker of the House of Representatives.

THO'S. RINGLAND,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini, eighteen hundred and thirty-four.

GEO : WOLF.

No. 44.

AN ACT

Incorporating the town of Lawrenceville into a borough.

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 the town of Lawrenceville, in the county of Allegheny, shall be and the same is hereby erected into a borough, under the name and title of the borough of Lawrenceville, Name bounded and limited as follows : beginning at a large soft maple tree in front of Samuel Enult's land, where the township road strikes the Allegheny river, and thence south fifty-eight degrees, east two poles and two feet, including the township road, to a post ; thence south twenty-six degrees, west thirty-four poles and ten feet, to a post ; thence south eight degrees, east eleven and one fourth poles, to a post ; thence south forty-eight degrees, east one hundred and ninety-eight and a half poles, (crossing the Butler road at one hundred and four poles) to the Pittsburg and Greensburg turnpike road ; thence in the direction of said road south seventy-six and a half degrees, west one hundred and twenty-five and three fourth poles, (crossing Covington street at forty-three and three fourth poles, and Pike street at eighty-five and one fourth poles) to a post ; thence south forty-one degrees, west ninety-eight poles, to a large button wood tree, (a well known land mark) on the bank of the Two Mile run ; thence with the meanderings of the said run thirty-seven and three fourth poles, to the said turnpike road, where the turnpike bridge crosses said run ; thence north forty-four degrees, west ninety-six poles to a post at the foot of Wainwright's island, north twenty-nine degrees, east, including said island, two hundred and sixty-four poles, to the place of beginning. Boundaries.

Qualifications
of voters.

To elect on 2d
Tuesday of
March next.

Officers to be
elected.

Manner of
conducting
the election.

Provido.

Members of
T. council to
be divided by
lot into two
classes.

Style of cor-
poration.

SECTION 2. It shall and may be lawful for all persons entitled to vote for members of Assembly, who have resided in said borough six months previous to any election, and within that time paid a borough tax, to meet at the office of John Sarber, Esquire, in said borough, or at such other place as may be hereafter appointed, on the second Tuesday of March next, and then and there elect by ballot, between the hours of one and six in the afternoon, one citizen residing therein, who shall be styled the burgess of said borough; six citizens residing therein, to be a town council; one citizen as town constable; one citizen as overseer of the poor, and one citizen as street commissioner; but previously to the opening of such election, the citizens present shall elect three persons to discharge the duties of judge, inspector and clerk, according to the general election laws of this Commonwealth, who shall be subject to the same penalties for mal-practices as by the said election laws are imposed; and the said judge, inspector and clerk, before they enter on the duties of their respective offices, shall take an oath or affirmation before some judge or justice of the peace, to perform the same with fidelity, and after the said election shall be closed, shall declare the persons having the greatest number of votes duly elected; whereupon duplicate certificates of said election shall be signed by the said judge, inspector and clerk, one of which shall be transmitted to the prothonotary's office of said county, and the other filed among the records of said corporation; and it shall be the duty of the clerk of said election to give notice, in writing, to each of the persons so elected as aforesaid; and in case of vacancy by death, resignation, or otherwise, the burgess, or in case of his inability, any two of the town council, shall issue a precept to the constable of said borough, or other suitable person, requiring him to hold an election to supply such omission, or to fill such vacancy, he giving at least ten days notice by advertisements, set up at four of the most public places in the said borough: *Provided*, That the citizens of said borough shall be entitled to vote at the first election, although they have not paid a borough tax.

SECTION 3. On the Monday next after the said election, the members of the town council, elected as aforesaid, shall be convened, at some suitable place in said borough, and shall then and there, by lot, divide themselves into two classes; and the seats of the members of the first class shall be vacated at the end of one year, of the second class at the expiration of the second year, counting the year as commencing, for corporate purposes, on the first day of April in each year.

SECTION 4. The burgess and town council, elected as aforesaid, and their successors forever, shall be one body politic and corporate in law, by the name of the burgess and town council of the borough of Lawrenceville, and shall have perpetual succession; and the said burgess and town council aforesaid, and

their successors forever, shall be capable in law to have, get, receive, hold, and possess lands, tenements, rents, liberties, jurisdictions, franchises and hereditaments, to them and their successors, in fee simple or otherwise, all goods, chattels, and other things, of what nature or kind soever, not exceeding the yearly value of two thousand dollars; and to have, grant, sell, let and assign the same land, tenements, hereditaments, rents, goods and chattels; and by the name aforesaid, they shall be capable in law to sue and be sued, plead and be impleaded, in any of the courts of this Commonwealth, or before any justice of the peace of Allegheny county, in all manner of actions whatsoever, and to have and use one common seal, and the same from time to time change at their will and pleasure.

May hold real estate not exceeding in value \$2000 per annum.

SECTION 5. The inhabitants of said borough, entitled to vote as aforesaid, shall, on the second Tuesday of March next ensuing the aforesaid election, and on the same day in every year thereafter, meet at the place appointed, and elect, in manner aforesaid, one burgess, one constable, one overseer of the poor, one street commissioner, and three members of council, to supply the places of the members of council vacated in the manner aforesaid, which election shall be held and conducted in all respects as herein before required.

Elections to be held the 2d Tuesday of March in every year.

SECTION 6. If any person, duly elected burgess, member of council, overseer of the poor, or street commissioner, as aforesaid, or appointed to any office as hereinafter provided, and having received notice thereof, as required by this act, shall refuse or neglect to take upon himself the execution of said office, or, having taken upon himself the execution of such duties, shall neglect to discharge the same according to law, every person so refusing or neglecting, shall, for every such offence, forfeit and pay the sum of five dollars, which fine, and all other fines, and forfeitures incurred and made payable by this act, or any of the by-laws and ordinances of the town council, shall be for the use of the said corporation, and may be recovered, before any justice of the peace, in the same manner that debts of equal amount are by law recoverable, and, when so recovered, shall be forthwith paid to the treasurer of the borough: *Provided*, That no person elected or appointed as herein provided, shall be liable to a fine for refusing or neglecting to serve more than one in four years.

Penalty for refusing to serve in any office.

Proviso.

SECTION 7. The burgess, town councilmen and constable, shall each of them take an oath or affirmation, before some judge or justice of the peace of the said county, or burgess of the said borough, to support the constitution of the United States, and of this State, and to perform the duties of their respective offices with fidelity; and the certificates of such oaths and affirmations shall be filed among the records of the said corporation.

The burgess, councilmen & constable, to take an oath or affirmation

The burgess to be presid't of the town council,

SECTION 8. The burgess shall preside, when present; in all meetings of the council, and may take part in their debates, but

President pro.
tem. may be
chosen in his
absence.

When council
is equally di-
vided in the
absence of
burgess, no-
tice to be sent
to him.

Power to pass
ordinances, to
assess and
collect taxes,
to appoint
officers, &c.

Proviso.

Powers of the
burgess.

have no vote, except when the council is equally divided ; and no ordinance shall become a law, unless approved by four members of the council : *And be it also provided*, That when the burgess is not present at any meeting, the council shall elect a president *pro tempore* ; and any by-law, ordinance or resolution, passed by at least four of said council, of whom the president *pro tempore* may be one, and signed by him, and attested by the town clerk, shall become a law of said borough : *And be it further provided*, That if at any meeting of the council the burgess be absent, and there being an equal division of the council on any subject, it shall be the duty of the town clerk to notify the burgess thereof, whose duty it shall be to attend at the next regular meeting of the council, or, in case of an adjournment of the council without day, to call a special meeting thereof, and decide the question by his casting vote.

SECTION 9. It shall and may be lawful for the burgess and town council to meet as often as occasion may require, and enact, ordain, revise, repeal and annul all such by-laws, rules, regulations and ordinances, assess, apportion and appropriate such taxes as shall be determined by a majority of them necessary to promote the peace, good order, benefit and advantage of said borough, to repair and keep in good order the streets, alleys, landings and highways, and also to appoint a town clerk, treasurer, collector, board measurer, and such other officers as may be deemed necessary, by the said burgess and council ; but no by-law, rule or ordinance, enacted as aforesaid, shall be repugnant to the constitution and laws of the United States, or of this State ; and no person shall be punished for a breach of any law or ordinance enacted for the regulation of said borough, unless the same shall have been published at least three times in some newspaper printed in said borough, or a true copy thereof set up at four of the most public places in said borough ; and no by-law, ordinance or regulation, shall be carried into effect in less than one month after such publication : *Provided*, That in laying such tax, due regard be had to the valuation of taxable property assessed, or hereafter to be assessed, for the purpose of raising county rates and levies ; and that no tax, for the support and regulation of the streets, alleys, landings and highways, or for support of the poor, shall exceed, in any one year, for either of those purposes, five mills in the dollar of such valuation, unless some object of general utility should require the same, in which case a majority of the freeholders of said borough, by writing, under their hand, shall approve and certify the same to the burgess and council, who may proceed to assess the same accordingly.

SECTION 10. The burgess, elected agreeably to this act, is hereby authorized to issue his precept to the constable, collector, or other fit person, commanding him to collect all taxes assessed, and fines and forfeitures imposed by this act, or by the ordinances and regulations of the burgess and council, and the

same to pay over to the treasurer ; and the said burgess is hereby empowered to carry into effect all by-laws enacted by the council, and whatever else shall be enjoined on him for the well ordering and governing said borough.

SECTION 11. The burgess, president of the council *pro tempore*, the treasurer, and town clerk, or any two of them, shall constitute a court of appeal ; and, prior to the collection of any borough tax, they shall appoint a day of appeal, of which, and the amount of his or her tax, and the place where the appeal will be held, the collector shall notify each resident taxable, by a written notice, at least ten days before the day of appeal ; and when the said tax shall have been properly adjusted, it shall be the duty of the burgess, or, in his absence or inability to act, of the treasurer, and he is hereby authorized to issue his precept to the collector, commanding him to collect the same, with the like powers and authorities given to the collectors of county rates and levies by the laws of this Commonwealth, and the amount so collected shall be forthwith paid into the treasury for the use of the corporation.

Court of appeal instituted.

SECTION 12. It shall be the duty of the town clerk to attend all meetings of the town council, when assembled on business of the corporation, and perform the duty of clerk thereto, keep and preserve the common seal and records of the corporation, and be answerable for the same, and also for the faithful discharge of all duties which may be enjoined on him by virtue of this act, or the acts of the corporation, and his attestation, with the seal of the corporation, shall be good evidence of the things or act certified in all cases.

Duty of the town clerk.

SECTION 13. The constable shall give notice of the annual election, in the same way as is prescribed in regard to township elections, and shall have the same powers as other constables of this Commonwealth for keeping the peace ; he shall execute all process or precepts directed to him by the burgess, and shall be liable to a fine of twenty dollars for neglect of duty, and shall have the compensation that is allowed to other constables for the same or similar services, and shall, at the next Court of Quarter Sessions of Allegheny county after his election, deliver to the clerk of said court a certificate of his election, certified by the judge, inspector and clerk of the election, and shall give bond and security for the faithful performance of his duty, as other constables are by law required to do, which bond shall be for the same uses and interests, and in all things as available, as the bonds of other constables in this Commonwealth ; and he shall have similar powers with other constables to execute process, civil and criminal, issued by justices of the peace of the county of Allegheny, and directed to him as constable of the borough of Lawrenceville.

Constable to give notice of election, and other duties and powers.

SECTION 14. The treasurer shall give security for the faithful discharge of the duties of his office, and for the safe delivery into the hands of his successor of all moneys, books, and ac-

Duties of the treasurer, & of other officers.

counts pertaining thereto, upon demand being made by the bur-
gess or council; that the treasurer, constable, or collector,
as well as all other officers who may be appointed by the coun-
cil, shall render their accounts whenever so required to do,
which accounts, being adjusted and settled, shall be published
once in each year, in some newspaper printed in the borough;
or by advertisements set up at four of the most public places in
said borough, particularly showing the amount of taxes laid and
collected, and the expenditures.

Dogs and
bitches may
be taxed.
Proviso.

SECTION 15. It shall and may be lawful for the bur-
gess and town council, at any time to levy and collect taxes on the own-
ers of dogs and bitches, not exceeding one dollar for each dog,
nor two dollars for each bitch, in any one year: *Provided*,
That these animals shall not be taxable until they are three
months old.

Borough to be
an election
district.

SECTION 16. The said borough of Lawrenceville is hereby
erected into a separate election district, and the electors thereof
shall hereafter hold their elections at the town house in the said
borough; and that an inspector of the general election, assessor
and assistant assessors, shall be elected by the inhabitants, at
the same time, and under the same regulations, and subject to
similar duties and liabilities as the inspectors and assessors who
are now by law authorized to be elected by the several town-
ships, and that the judges and clerks shall be appointed to su-
perintend and assist at the general elections, as those officers
are now appointed in the several townships.

WM. PATTERSON,
Speaker of the House of Representatives.

THO'S. RINGLAND,
Speaker of the Senate.

APPROVED—The eighteenth day of February, one thousand
eight hundred and thirty-four.

GEO: WOLF.

No. 45.

AN ACT

To recharter the Kensington Bank, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Re-
presentatives of the Commonwealth of Pennsylvania in General
Assembly met, and it is hereby enacted by the authority of the
same,* That the act entitled, "An act to recharter certain
banks," approved the twenty-fifth day of March, one thousand
eight hundred and twenty-four, be and the same is hereby ex-
tended to the Kensington bank, in the county of Philadelphia,

Charter ex-
tended 15 yrs.
from 1st Nov.
1836.