

Episcopal church of the borough of Norristown," and as such shall have the power to admit members, and shall have and exercise all the powers and privileges granted by law to the Presbyterian congregation of Athens, and be subject to all the limitations and restrictions imposed by law on the last mentioned corporation.

JAMES THOMPSON,
Speaker of the House of Representatives.
THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini, eighteen hundred and thirty five.
GEO: WOLF.

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No. 178.

An Act

To alter the location of part of Washington street, in the township of Moyamensing, and a supplement to the act entitled An act to incorporate the borough of Bethany, in the county of Wayne, and a supplement to the act entitled An act to incorporate the borough of Honosdale, in Wayne county, and for other purposes.

WHEREAS it has been represented to the Legislature that it is expedient to alter the location of so much of Washington street, in the township of Moyamensing, as is contained between Passyunk Road and Tenth street: Therefore,

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 so much of a certain street called Washington street, Part of laid out by the commissioners appointed in and by virtue of a certain act of the General Assembly, passed the twenty-sixth day of March, Anno Domini, one thousand eight hundred and eight, entitled An act granting certain powers to the inhabitants of the northern part of the township of Moyamensing, as lies between Passyunk road and Tenth street, be and the same is hereby vacated Washington street vacated.

SECTION 2. That Washington street, in the township of Moyamensing, in the county of Philadelphia, be and the same is hereby laid out, commencing on the west side of Passyunk road, at the distance of three hundred and four feet two inches from the north side of Federal street, (measuring along the westerly line of said Passyunk road) to be opened fifty feet wide, and to continue of that width until it strikes a point on Tenth street, at the distance of three hundred and thirty-six feet four inches from the north side of said Federal street. Washington street, west side of Passyunk road, laid out.

SECTION 3. That as it will not be necessary to lay the said street immediately open, that upon the petition of any number Upon petition of Q. S. to appoint viewers.

of freeholders of the said township not less than twenty, whose lands lie near or adjoining to said street, to open the said street, 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 said street shall pass, as shall offer objections thereto, to appoint viewers to report whether it be proper at the time to open said street, and if they shall be of opinion that the state of improvement in the neighborhood shall require it, the said court shall issue an order to the commissioners of the township of Moyamensing, requiring and enjoining them to open said street, 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 owner or owners of ground through and over which said street shall pass, shall proceed in the same manner to obtain indemnification for any injury they may sustain thereby, as if the said street had been opened in the manner usually pursued for opening roads.

If improvement
in the neigh-
borh'd requ're
it, court shall
issue order to
commiss'ners
of Moyamen-
sing to open
street.

Supervisors
in Cambria
co. to apply
taxes, &c.

SECTION 4. The supervisors of highways in each and every township in the county of Cambria, shall hereafter apply at least three-fourths of the taxes which may or shall be levied or collected for opening, laying out, making and keeping in repair the roads and highways in such township to the purposes for which the said taxes shall be so levied or collected before the first day of September in each and every year.

Penalty on
neglect or
refusal.

SECTION 5. Any supervisor or supervisors who shall neglect or refuse to perform the duty enjoined on him or them by the foregoing section of this act, shall be liable to a penalty of not less than five nor more than thirty dollars, to be sued for and recovered by action of debt before any justice of the peace for said county of Cambria, and to be applied to and expended in keeping in repair the public highways in the townships where the said supervisor or supervisors shall reside.

WHEREAS a certain alley or court, called Oak alley or court, laid out and declared a public highway by virtue of an act of assembly, has become useless to the public and inconvenient and burdensome to the owners of the ground bordering thereon, and bounded thereby: Therefore,

Court of Q. S.
of Philadelp.
authorized to
appoint view-
ers concern'g
Oak alley.

SECTION 6. The court of Quarter Sessions of the county of Philadelphia be and they are hereby authorized upon the application of the owner or owners of the adjacent ground, to appoint a jury of view, according to the laws of this Commonwealth in relation to the streets, lanes and alleys within the city of Philadelphia for the purpose of ascertaining and determining whether an alley or court called Oak alley or court, running southward from Pine street to the depth of two hundred and three feet between Second and Third streets from the Schuylkill, has become useless and inconvenient to the public; and if the jury aforesaid shall be of opinion, and report that the said alley or court ought to be closed and vacated, and the said report shall be confirmed by the said court in the usual manner, then

and from that time the said alley or court shall be vacated and laid aside forever, as if the same had never been opened, and all right therein, and title thereto shall be vested in the owner or owners of the adjoining lots, upon application being made for the vacating of the whole or part of any street, lane or alley in the city or county of Philadelphia, it shall be the duty of the court of Quarter Sessions of said county to appoint a jury to view and report thereon; and if the report of said jury shall be in favour of vacating, and the court shall confirm said report, then such street, lane or alley shall be forthwith vacated.

SECTION 7. If any person shall neglect or refuse to make payment of his or her tax duly assessed under the act to erect the town of Bethany, in the county of Wayne, into a borough, or the act to erect the village of Honesdale, in the county of Wayne, into a borough, for the space of thirty days from the time of demand therefor by the proper collector thereof, it shall be the duty of such collector to levy such tax by distress and sale of the goods and chattles of such delinquent, giving ten days public notice of such sale by at least three written or printed advertisements; and in case goods and chattles sufficient to satisfy the same, with the costs, cannot be found, such collector shall be authorized to take the body of such delinquent, and convey him to the county jail, there to remain until the amount of such tax, together with the costs shall be paid or secured to be paid, or until he shall be otherwise discharged by due course of law.

Bethany and
Honesdale, in
Wayne co.
neglect or
refusal of per-
sons to pay,
tax collector
to levy.

SECTION 8. The costs allowed to collectors for performing any services required by this act, shall be the same as are by law now allowed to constables for the performance of similar services.

Costs allowed

SECTION 9. From and after the passage of this act, the owners and occupiers of property, real and personal, within the limits of the borough of Johnstown, in Cambria county, shall be exempt from the payment of road tax to the township officers, nor shall it be lawful for the supervisors of the public roads and highways within the township of Conemaugh, in said county of Cambria, to assess or levy a tax upon any property real or personal, or upon any profession, trade or occupation within the limits of said borough, nor shall it be lawful for the supervisors of the public highways of the said township of Conemaugh, to enter upon any of the streets, lanes and alleys within the said borough, for the purpose of altering, improving or repairing the same in any manner, and that nothing contained within the general road laws of this Commonwealth shall be deemed to extend to said borough.

Johnstown,
in Cambria
co. exempt
from paym't
of road tax.
Conemaugh.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The fifteenth day of April, one thousand eight hundred and thirty-five.

GEO: WOLF.