

directors thereof shall elect one controller: the controllers thus elected shall be subject to all the laws passed in relation to the controllers of the first school district.

SECTION 36. As soon as the directors and controllers herein provided for shall be elected and organized, the term of service of any director and controller of the public schools then in office in the districts thus altered or provided for, shall cease, and all laws that conflict with the provisions of this act are hereby repealed. When term of former director and controller shall cease.

WM. HOPKINS,
Speaker of the House of Representatives.

W. T. ROGERS,
Speaker of the Senate.

APPROVED—The seventh day of March, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 27.]

A FURTHER SUPPLEMENT

To the act entitled "an act to erect the town of Chester and its vicinity, in the county of Delaware, into a borough, and for other purposes," therein mentioned.

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 council of the borough of Chester, shall be increased from and after the passage of this act, to the number of seven. Town council of borough of Chester, increased to 7 in number.

SECTION 2. That the chief burgess, assistant burgess and president of the town council or any two of them, shall constitute a court of appeal, and prior to the collection of any borough tax, the collector shall inform each inhabitant of the amount of his tax and of the time and place of appeal: *Provided nevertheless,* That the said court of appeal shall have no power as such other than to determine the justness of the apportionment of said tax, but may remedy any grievance that may occur in imposing the same. Court of appeal established. Proviso.

F

Streets, &c.
how opened
and widened.

SECTION 3. That the courts of quarter sessions of the county of Delaware, on being petitioned to grant a view for opening, widening or extending any street, lane or alley within the borough of Chester, in the county aforesaid, shall have power and by virtue of this act are directed and required as often as they judge it useful in open court, to order and appoint six discreet and disinterested freeholders, neither of whom shall reside or own real estate in the borough aforesaid, whose duty it shall be, after being first sworn or affirmed, to view the ground proposed for opening, widening or extending such street, lane or alley, and if they or any five of them view the said ground, and any four of the actual viewers agree that there is occasion for such street, lane, or alley to be opened, widened, or extended, 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 at the next court thereafter, be entered on record, and thenceforth shall be taken, deemed, and allowed to be a public street, lane, or alley; compensation being made to the owner or owners of the ground or other property, as herein directed.

Damages, how
ascertained.

SECTION 4. That on the return of the viewers, reporting in favor of opening, widening, or extending any street, lane, or alley as aforesaid, and the same being approved of by the court at their next session thereafter, to which the report is returned, the court shall appoint six discreet and disinterested freeholders, neither of whom shall reside or own real estate within the borough of Chester aforesaid, who being first sworn or affirmed, shall enquire what damages the owner or owners of lands, house or houses, or other property, shall or may sustain, by reason of the same being taken, used, and appropriated for the purpose aforesaid: *Provided always,* That it shall be the duty of the said freeholders in assessing damages, to consider the advantages which may accrue to the owner or owners of such lands, house or houses, or other property, by reason of opening, widening or extending such street, lane, or alley.

Damages how
paid.

SECTION 5. That upon the return of the valuation and assessment of damages as aforesaid, for ground or other property taken and appropriated for any public streets, lanes or alleys within the borough aforesaid, and the court of quarter sessions of the said county of Delaware having approved the same, the amount of damages awarded as aforesaid, shall be paid by the treasurer of the said borough: And the chief burgess and town council of the said borough, shall cause such street, lane,

or alley, or other passage, to be opened, widened or extended, agreeably to the directions of the said court.

SECTION 6. That the town council of the said borough of Chester, shall be authorized and empowered to lay down, or ^{Power of council to lay track or tracks of} cause to be so laid down, a track or tracks of rail road, on any ^{rail road.} street, lane or alley of the said borough, from the piers or wharfs on the river Delaware to connect with the Philadelphia, Wilmington, and Baltimore rail road company, at the said borough, whenever they deem it expedient.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

APPROVED—The seventh day of March, eighteen hundred and forty.

DAVID R. PORTER.

[No. 28.]

A N A C T

Erecting the borough of West Greenville and the township of West Salem into separate election districts, and for other purposes.

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 from and after the passage of this act, the borough of West Greenville, in the county of Mercer, as bounded and described according to the town plot of West Greenville, incorporated by the court of quarter sessions for Mercer county, March term, one thousand eight hundred and thirty-seven, shall be and the same is hereby declared a separate election district: The qualified voters of said borough shall proceed in like manner as the general election laws require, in the several election districts of this commonwealth, to elect their inspectors, and do all and other things in conducting and holding the general elections in such cases, as though they had never been connected with said township: The general election in pursuance of this act, shall be held in the public house of Samuel S. Spier, in said borough.

^{West Greenville borough declared a separate election district.}

^{Elections how held.}