

No. 422.

A SUPPLEMENT

To an act entitled "An act to incorporate in the township of Lower St. Clair, in Allegheny county a borough to be called South Pittsburgh."

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, instead of four councilmen as provided for in section second of above mentioned act, there shall be six, and they shall be elected as by the provisions of said act two to serve one year, two to serve two years and two to serve three years, and thereafter two councilmen annually, that the town council of the borough of South Pittsburgh, in the county of Allegheny, when they shall consider that the opening of any new street, lane or alley within the said borough or that an increase of width of any street, lane or alley already laid out and opened is necessary for the use and convenience of the public, shall have power and they are hereby authorized thereupon to direct and determine the location and limits of such street, lane or alley or the increase of width necessary in any case as aforesaid, and a plan or specification of such location or determination of increase of width shall be made and deposited in the office of the recording regulator of the said borough for public examination and inspection, whereof notice shall be given in at least two newspapers published in the county of Allegheny, and any owner or owners of ground lying on the line of such street, lane or alley who shall consider that he, she or they shall suffer damage from the opening or widening of the same, may apply by petition to the next court of quarter sessions of the county of Allegheny, by whom such orders and appointments shall be made, and the same proceedings in every respect shall be had for the view, appraisalment of damages the report thereof and confirmation of the same as are directed by the provisions of the general road laws of this Commonwealth, and the said council so soon as they shall have caused payment of damages assessed to be made to persons entitled to receive the same according to the report of the viewers returned to the said court and confirmed by the same, may proceed to cause such street, lane or alley to be opened forthwith, and the same shall forever thereafter be taken and allowed to be a public highway for the same uses and purposes as the other streets, lanes or alleys within the said borough: *Provided nevertheless,* That if the damages ascertained in the manner aforesaid, shall not have been paid within one year from the time of the confirmation of the report of the same, then the proceedings had in pursuance of the provisions of this section shall be held thereafter null and void.

Six councilmen to be elected.

Proviso.

Damages.

SECTION 2. That the viewers appointed under the foregoing section shall enquire what damages the owner or owners of lands, houses or other property may sustain, by reason of the opening or widening of any street or streets, alley or alleys in the borough aforesaid, taking into consideration the advantages that may accrue to any person petitioning for damages, and the

said viewers shall further proceed to ascertain as far as possible the names of all the owners of lots or parts of lots, who may receive any benefit or increase of value to their property, adjacent to said street or alley, and shall assess on such lot or lots or parts of lots an amount which the said viewers shall think the said lot or lots or piece of lot shall be benefited by the opening or widening of such street or streets, lanes or alleys, and in case the total sum of damages to be paid to all persons in consequence of the opening or widening of any street, lane or alley as aforesaid, shall exceed the total assessments to be paid by those benefited by the opening or widening of any street, lane or alley as aforesaid, the excess shall be paid by the borough of South Pittsburgh, the whole proceedings shall be subject to the approval of the court as in other cases of road damages.

Account of damages to be returned to court.

SECTION 3 That the said viewers having made such assessment and apportionment of damages, which when returned into said court shall be approved by said court, and shall be entered and recorded at large upon the docket of said court, which thereupon shall bind and conclude all parties owning or claiming to own the property affected by this act or the proceedings under it and the sum therein specified to be payable, shall be and remain a lien upon each lot, or parts of lots, to the extent of the assessment, and charge thereon until duly satisfied and paid by said owner or owners.

Damages may be discharged.

SECTION 4. That the amount of damages thus assessed and remaining a lien upon said lots, may at any time be discharged by the owner or owners paying the amount thereof into the treasury of the borough of South Pittsburgh, for the use of the persons entitled thereto, and unless paid within one year after said confirmation by court as aforesaid, the lot or parcel of ground may be levied upon and sold under a writ of *levari facias*, issued in the name of the burgess and town council of the borough of South Pittsburgh, at the instance of any person interested and the moneys so assessed and paid into the borough treasury shall be paid over to the person entitled thereto or their legal representatives.

Regulations.

SECTION 5. That the said town council shall be empowered to make all needful regulations respecting markets and market days, the hawking and pedling of market produce and other articles in the borough, and for the inspection and measurement or weight of cord-wood, hay, coal and other articles sold or offered for sale in the borough.

Regulation of scales, weights and measures.

SECTION 6. To regulate annually the scales, weights, and measures within the borough according to the standard existing laws of the Commonwealth.

Obstructions.

SECTION 7. To prohibit and remove any obstructions in the highways of the borough, and any nuisance or offensive matter whether in the highways or in public or private grounds, and to require the removal of the same by the owner or occupier of such grounds, in default of which the corporation may cause the same to be done and collect the costs thereof, with twenty per centum advance thereon in the manner provided for the costs of payments made by the corporation.

Noxious or offensive manufactures.

SECTION 8. To prohibit within the borough the carrying on of any manufacture, art or trade or business which may be noxious or offensive to the inhabitants, the manufacture, sale or exposure of fire-works or other inflammable or dangerous articles, and to limit and prescribe the quantities that may be kept in one

place of gunpowder, fire-works, turpentine and other inflammable articles, and prescribe such other safeguards as may be necessary.

SECTION 9. To make such regulations relative to accumulation of manure and compost, and the like in barns, stables, Accumulation of manure. yards and other places, and to prohibit the keeping of hogs within the borough or within such limits within the same as they may prescribe.

SECTION 10. To make regulations relative to the cause and management of fires, and within such limits within the borough as they may deem proper to prescribe, and to authorize the borough authorities to appropriate money for the purchase of fire engines, for the use of said borough to and for fire companies. Management of fires.

SECTION 11. To establish a nightly watch to light the streets, Nightly watch. to provide a supply of water for the use of the inhabitants, to make all needful regulations for the protection of the pipes, lamps, reservoirs and other constructions or apparatus, and to prevent the waste of water so supplied.

SECTION 12. To impose fines and penalties incurring partial or total forfeitures to remit the same; to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers, or by the justice of the peace within the borough: *Provided*, That no person shall be confined in such lock-up house for a longer period than forty-eight hours at any one time, and that the fees shall be the same as are now by law authorized to be charged by the aldermen of Pittsburgh. Fines and penalties.

SECTION 13. To appoint and remove such officers, prescribe their duties and allow them such compensation as they may deem necessary to secure the peace, order and well being of the inhabitants, and to enforce the ordinances and regulations of the borough. Removal of officers.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 423.

AN ACT

Authorizing the Town Council of the Borough of White Haven to borrow money.

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 an act, entitled "An act authorizing the borough of Tamaqua to construct water works, to borrow money, and for other purposes," approved the second day of April, Anno Dom-