

No. 577.

AN ACT

To extend and vacate certain Streets and Alleys in Lancaster city.

Commissioners 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 William Carpenter, Benjamin F. Shenk, Lewis Hurford, Christian Zecher, Jeremiah Bauman and John D. Boring, are hereby appointed commissioners to lay out, open and extend West James street, in the city of Lancaster, from the point where it is now terminated by Charlotte street, to the eastern line of lands belonging to Franklin and Marshall college, situate in the said city.

Duties of commissioners.

SECTION 2. That the said commissioners or a majority of them, having first taken an oath before an alderman of the city of Lancaster, to perform the duties enjoined upon them by this act with fidelity and impartiality, shall proceed as soon after the passage of this act as convenient, to attend to the duties specified in the preceding section of this act, and if in the opinion of a majority of them said West James street ought to be laid out, opened and extended westwardly to the eastern line of the lands belonging to Franklin and Marshall college, they shall lay out the same of the width of James street as now opened, and shall make a draft or plot of said street so laid out, to be opened and extended by its courses and distances, and make return of the same under the hands and seals of a majority of them to the court of quarter sessions of the peace of Lancaster county, to be entered on record, and thereupon the said street so laid out shall become a public highway, and it shall be the duty of the street commissioner of the city of Lancaster to proceed forthwith to open the same.

Damages.

SECTION 3. That the court of quarter sessions of Lancaster county, on the petition of any owner of a lot or land through which the said street shall be extended and opened, representing that he or she has sustained damages thereby, shall appoint six freeholders of said city to view the premises and adjudge the amount of damages, if any sustained, taking into consideration the probable advantages of said street to the petitioner, and the said amount after being approved by the court, shall be paid as damages in like cases are now by law payable: *Provided always,* That the said viewers shall before proceeding to assess the said damages, if any, take an oath or affirmation before some competent judge or alderman justly and truly to value the same, and to consider the advantages as well as the disadvantages of the extension and opening of the said street to the petitioner.

Proviso.

Duties of select and common councils.

SECTION 4. That the select and common councils of the city of Lancaster are hereby authorized and required as soon after the passage of this act as the same reasonably and conveniently may be done, to cause the street commissioners of the said city to lay out, open and extend Mary street from the point where it now terminates at the northern end thereof, northward till it intersects Chesnut street.

SECTION 5. That the court of quarter sessions of Lancaster county on the petition of any owner of a lot of land through which the said street may be extended and opened, representing that he had sustained damage thereby, shall appoint six freeholders of the said city to view the premises and adjudge the amount of the damages, if any sustained, taking into consideration the probable advantages of said street to the complainants, and the said amount shall be paid after being approved by the court, out of the funds of said city: *Provided always*, That the said viewers shall each of them before they proceed to assess the damages, take an oath or affirmation before some judge or alderman, justly and truly to value the same, and to consider the advantages as well as disadvantages arising from the opening of said street to the complainants. Damages.
Proviso.

SECTION 6. That the select and common councils of the city of Lancaster, be and they are hereby authorized to vacate the public alley in said city, called "Union Court," extending from West King street northward, to an alley between West King and Orange streets: *Provided*, The said councils shall first open instead thereof, on ground lately purchased by the city of Lancaster, an alley at least equal in width to that hereby authorized to be vacated, and extending northward from West King street to the alley between West King and Orange streets aforesaid. Certain alley to
be vacated.
Proviso.

SECTION 7. That the select and common councils of the city of Lancaster are hereby authorized and required, as soon after the passage of this act, as the same reasonably and conveniently may be done, to cause the street commissioners of the said city to lay out, open and extend Conestoga street, from the point where it now terminates at Prince street, till it intersects Water street; and that Fritz's alley, rendered unnecessary by the extension of said Conestoga street, be and the same is hereby declared vacated: *Provided*, That before any proceedings shall be had under this section, the owner or owners of the land through which said street shall pass, shall release all claims for damages on account of such extension. Additional duties
of select and
common councils.
Proviso.

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

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fifth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.