

Pennsylvania. Laws, statutes, etc.
L A W S

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1849,

IN THE

SEVENTY-THIRD YEAR OF INDEPENDENCE.

WITH

AN APPENDIX.



PUBLISHED BY AUTHORITY.

HARRISBURG, Pa.:

J. M. G. LESCURE, PRINTER TO THE STATE,

.....
1849.

SECTION 26. That as often as any doubts shall arise touching the construction of this act, the same shall in all courts of law and equity, and elsewhere, be construed and taken most favorably for said corporation.

Debts arising from the construction of this act, the same shall in all courts be construed most favorably to the corporation.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 352.

AN ACT

To authorize the extension of Cherry street, in the borough of Columbia, and to authorize the Columbia water company to erect an engine house in said 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 members of the town council of the borough of Columbia, or any seven of them, after being duly sworn or affirmed, are hereby authorized on or before the first day of June next, to view the ground for an extension of Cherry street, in the said borough, to Front street; and if the actual viewers or any six of them agree that there is occasion of public necessity for said street to be extended either to Second street, or to Front street, they shall proceed to lay out the same upon such ground as shall appear to them most suitable, taking into view the damage that may be done to private property thereby, and shall make report thereof, stating particularly whether they judge the same to be necessary, together with a plot or draft thereof, to the next court of quarter sessions for the county of Lancaster; and if the said court shall approve the same, it shall at the next court thereafter be entered of record, and thenceforth shall be taken, deemed and allowed to be a public street, and the damages if any arise or accrue to private property by the said extension, shall be viewed, assessed and paid as is provided in the act, entitled "An Act relating to roads, highways and bridges," passed the thirteenth day of June, A. D., one thousand eight hundred and thirty-six: *Provided,* That all damages which may be incurred or sustained by reason of the opening of said street, shall be paid by the borough of Columbia aforesaid, and in no event shall the county of Lancaster be liable therefor: *And provided further,* That the said borough, before opening the said street, shall first ascertain the amount of damages done to private property, in the manner provided for in this act, and make compensation or give adequate security therefor, before such property shall be taken

Town council of the borough of Columbia authorized to extend Cherry street.

Proviso.

Proviso.

or said street opened: *Provided*, That if on the view at the time above mentioned, the viewers shall not consider it necessary or expedient to extend said Cherry street further than to Second street, the provisions of this act shall be and continue in force, so that the members of the town council aforesaid, or any seven of them may at any future time view and report upon the extension of said street, from Second street to Front street, to the then next term of the court of quarter sessions aforesaid, with like effect as if the same had been done at the time above mentioned; and the proceedings shall be in all things as are herein directed: *Provided also*, That the town council aforesaid, are hereby authorized to continue the assessment and collection of the additional tax of twenty-five cents in the hundred dollars valuation, now authorized by law for the payment of the debt due by the borough, to the estate of William Kirkpatrick, deceased, until the damages assessed for the opening of said Cherry street be fully and entirely paid: *And provided further*, that all property within the limits of the borough of Columbia aforesaid, shall from and after the passage of this act, be assessed for state, county, borough, and school taxes, at the actual cash value which the same would bring at fair public sale thereof; and the twenty-first and twenty-second sections of an act passed the eighth of April, eighteen hundred and twenty-three, entitled "An Act to incorporate sundry boroughs, and for other purposes," are hereby repealed.

Columbia water company authorized to occupy so much of either Locust or Walnut street as may be necessary for the erection of a steam engine, &c.
Proviso.

SECTION 2. The Columbia water company are hereby authorized to occupy so much of either Locust street or Walnut street, in the borough of Columbia, in the county of Lancaster, as may be required for the erection of a steam engine, and such engine house as may be necessary for the same, for the purpose of procuring an additional supply of water from the Susquehanna river: *Provided*, That such engine and engine house shall be located west of the old track of the Columbia and Philadelphia railway: *And provided*, That the proportion of said street so occupied shall not exceed in width fifty feet.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.