

FREE USE OF FAIRMONT PARK AND PREVENTION OF CONSTRUCTION OF RAILROAD

Act of Mar. 16, 1870, P.L. 451, No. 443

Cl. 11

AN ACT

To secure to the citizens of the commonwealth the free use and enjoyment of Fairmount park, in the city of Philadelphia, and to prevent the construction of any railroad therein.

WHEREAS, The city of Philadelphia, under authority conferred by an act of assembly, approved March twenty-sixth, A. D. one thousand eight hundred and sixty-seven, and the several supplements thereto, has purchased a large body of land within the limits of said city, and laid out and improved the same as a public park, known as Fairmount park, and has expended several millions of dollars in the purchase and improvement of the same:

Section 1. Park to be maintained and kept open; no railroad to be constructed therein

The City of Philadelphia is hereby required to maintain and keep open the said Fairmount Park for the free use and enjoyment of all the citizens of this State, subject to the rules adopted for the good order and government of the same; and in consideration of the compliance of the said city with the requirements of this act, the State of Pennsylvania hereby declares and agrees, that no railroad shall ever hereafter be constructed within the limits of the said Fairmount Park: Provided, That nothing in this act shall be construed to interfere with the rights already acquired by any railroad company whose tracks are now laid within the limits of said Fairmount Park. 1870, March 16, P.L. 451, Sec. 1.