

May be altered by the commissioners. And made fire proof, or Extended. Proviso.

Part of, to be an office for the Prothonotary of Supreme Court. Proviso respecting the title.

Plans, drafts, &c. relating to the city and county to be delivered up.

Said plans, &c. to be considered as of record. Exemplifications from, to be evidence.

and in order that the same may be better adapted to the uses aforesaid, the said commissioners are hereby empowered to alter and improve the said wings in such manner as they with the approbation of the governor may think proper, and convert the same into fire proof buildings, or if found most convenient to rebuild the same upon a more extended plan; *Provided*, that no building shall be extended further southward than the present wall of the main building of the said state house, nor nearer to the city and county court-house than the buildings now are, and shall not injure or incommode the same; and also that a fire proof, and one other suitable portion of the said buildings, shall be appropriated exclusively to the safe-keeping of the records of the office of the prothonotary of the supreme court for the eastern district, and for the use of the said prothonotary; and *provided also*, that the title in fee simple to the lot on which said offices may stand, be reserved to the commonwealth.

SECT. II. *And be it further enacted by the authority aforesaid*, That the secretary of this commonwealth, the surveyor-general and the secretary of the land-office, or a majority of them be and they are hereby authorized and required to deliver to the commissioners of the county of Philadelphia, on the application of such person as may be by them appointed for that purpose, all plans, drafts, and other documents now deposited in the land-office, and other public offices of this state, which in their opinion do not properly belong to the said land-office or other public offices, but to the city and county of Philadelphia.

SECT. III. *And be it further enacted by the authority aforesaid*, That the said plans, drafts, or other documents, shall be considered as matter of record, wherever the same shall henceforth be deposited, by the authority of the commissioners in the same manner as if the same had remained in the said offices; and all exemplifications made therefrom, shall have the same force and effect in courts of justice or elsewhere, as if the originals had not been removed.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER CIV.

An ACT to incorporate the township of Moyamensing, in Philadelphia county.

SECT. I. *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 inhabitants of the township of Moyamensing, in the county of Philadelphia, be and they and their successors forever, are hereby constituted a corporation and body politic, in fact and in law, by the name and style of "The commissioners and inhabitants of the township of Moyamensing," with all the powers, rights, and capacities, incident to such a corporation, as fully and effectually as if every thing were herein at length set forth; and they shall be able and capable in law, to sue and be sued, answer and be answered, defend and be defended, in all suits, actions, pleas, or causes whatsoever, and to do all and singular what to them as a body politic and corporate in law shall appertain; *Provided*, that no sale of real estate now vested in, or for the use of the people of said township, shall be made by the said corporation; *And also* that no part of the real estate of the same shall be mortgaged or encumbered for any sum exceeding the amount of three years taxes, and that no sale nor purchase, nor mortgage of any real estate be made or given by the said corporation, or money borrowed by the same without the concurrence of six of the said commissioners, but for all other purposes a majority of said corporation shall be a quorum; *Provided further*, that the said commissioners shall have and use one common seal, and the same at their will and pleasure, change and alter; and that no pecuniary compensation shall be received by said commissioners for their services in said township of Moyamensing.

Inhabitants of Moyamensing constituted a body politic. Style of Powers and privileges.

Certain real estate not to be sold by. Nor to be mortgaged beyond a certain amount. No money, &c. to be borrowed without the concurrence of six commissioners. Corporation to have a seal. Commissioners to receive no compensation.

Of elections.

SECT. II. *And be it further enacted by the authority aforesaid*, That the citizens qualified to vote for members of the general assembly, shall at the first election to be held in pursuance of this act, meet at the house now occupied by William Daily, in south Sixth street, in said township, and afterwards at such other place as shall be appointed from time to time by the commissioners; that the acting constable shall cause written or printed notices to be put up in at least ten of the most public places in said township, at least ten days previous to the third Friday in March, one thousand eight hundred and thirteen, and every year forever thereafter shall give at least ten days previous notice as aforesaid, before the third Friday in each and every year; and at each and every time to mention where, and the time when, the said election is to be held, the number of persons to be elected for commissioners, one town clerk, and four persons for constables; which said election shall be opened between the hours of ten and twelve o'clock in the forenoon on the third Friday aforesaid, and to be kept open until nine o'clock P. M. of the same day, and then and there in the forenoon, choose two respectable citizens of said township to be judges of said election, who shall choose two persons as clerks, and who together shall be sworn or affirmed before a justice of the peace to conduct the said election according to the election laws of this commonwealth; and the said clerks shall record the names of the voters, and cast up the number of

When and where to be held.

Notice to be given.

Officers to be elected.

Names of voters to be recorded.

Certain offices may be held by the same person for any length of time. When two are equal in vote, &c. Of commissioners.

Returns of election to be made.

Certificate of elections to be delivered to the clerk of the sessions.

Persons elected to have notice. When the first election in 1812 to be held.

When the Commissioners shall meet.

votes given for each and every person, and when each election is held and closed, and the number of votes ascertained for the nine commissioners elect, town clerk and constables; *Provided*, that no person shall be excluded from the choice of the people on account of his having before filled the said office of commissioner, town clerk and constable, any law to the contrary notwithstanding, and that in all cases wherein the number of votes shall be equal, for two or more candidates, the preference shall be decided by lot, to be drawn by the said judges of election, and they shall return the three persons who have the first greatest number of votes to be commissioners for three years then next following, and the three persons having the second greatest number of votes shall be commissioners for two years, and the three persons having the third and last greatest number of votes, shall be commissioners one year then next following; and on the third Friday of March, in the year one thousand eight hundred and thirteen, and so on the third Friday in March, annually, forever, three persons shall be chosen commissioners for three years; and the said judges shall prepare under their hands and seals, a return of the commissioners elect, within four days after the election, in writing, and at or after each succeeding election, to the commissioners in office, and shall also deliver into the office of the clerk of the court of quarter sessions, within ten days after each election, a certificate of the person elected for town clerk, to serve one year ensuing, and four persons elected for constables, two of which are to be appointed by the said court, and sworn or affirmed at the usual time provided by law; *Provided*, that the said judges shall cause the said town clerk and persons for constables elect, to have notice given them of their being elected for the said township; and *provided also*, that the election in one thousand eight hundred and twelve, be held on the first Friday in April, in the same place, in the same manner, subject to the same regulations and notifications as are above.

SECT. III. *And be it further enacted by the authority aforesaid*, That the nine persons who shall at the next election, to be held in pursuance of this act, have the highest number of votes for the office of commissioners, shall meet together at the house where the regulators of the northern district of the said township now meet, between the hours of two and four of the clock in the afternoon of the first Monday in April, next following the said election, and that the three persons who shall at every subsequent election have the highest number of votes for the said office of commissioners, together with the six commissioners whose time shall not have expired, shall meet together at such place as shall be legally appointed, between the hours of two and four in the afternoon, on the first Monday of April next following each and every election, to be held in pursuance of this act; and shall then and there receive the said returns of commissioners

elect, and shall forthwith proceed to examine the same, and to judge and determine thereon; and for that purpose the said commissioners so met, or a majority of them, shall be judges of the said election, and shall have full power and authority to approve thereof, or to set aside the same, and to order new elections as the law may require, to be held in the manner herein before directed, and at such times as shall be by them appointed, of which they shall give at least six days previous notice, by hand-bills posted up in at least ten of the most public places within said township.

Who shall be Judges of elections.

Notice to be given of setting aside elections.

SECT. IV. *And be it further enacted by the authority aforesaid,* That in case one or more vacancies shall happen by death, removal, or otherwise, a majority of the board of commissioners may appoint special elections for supplying such vacancies, and for that purpose a writ under the hand of their president, and seal of the corporation, shall issue, directed to the proper officers; and every special election shall be held and conducted, and the proper return thereof made in manner and form as is herein before directed for the general election; and the persons so legally chosen shall be commissioners for the remainder of the time that the commissioners in whose places they were elected had been elected for.

How vacancies are to be supplied.

SECT. V. *And be it further enacted by the authority aforesaid,* That each and every commissioner who shall be elected and returned, and whose election shall be approved in manner aforesaid, shall, before he enters on the execution of his said office, be sworn or affirmed before some justice of the peace of the county, well and faithfully to execute the office of commissioner of the said township, and shall thereupon, without any further or other commission, enter upon the duties thereof, and shall hold and exercise the same for the term for which he shall have been elected as aforesaid.

Commissioners to take the oaths, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That if any commissioner of the said township shall misbehave in his said office, or shall fail or neglect well and faithfully to discharge the duties thereof, it shall and may be lawful for any number not less than six of the said commissioners, on the petition and complaint in writing of twenty electors of the said township, ten of whom at least shall be freeholders, to remove in a summary way any such commissioner from his said office; *Provided nevertheless,* that the said petition and complaint in writing, shall fully and minutely state all the causes assigned for such removal, and no other cause whatever shall be assigned for such removal, and no other cause whatever shall be assigned, heard or inquired into; *and provided also,* that a copy of the said petition and complaint, with a notice of the time and place appointed for hearing and inquiring into the same, shall be served on such commissioner, at least ten days before any such hearing or inquiring shall be made.

How commissioners may be removed.

Petition for, to set out the cause of complaint.

Notice to be served on the commissioner.

Commissioners may make by-laws.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the commissioners when assembled together for that purpose, shall have full power and authority to make, ordain, constitute, and establish such and so many laws, ordinances, regulations and constitutions, not inconsistent with the constitution and laws of this commonwealth, as shall be necessary and convenient for the purpose of fixing the compensations of the officer or officers appointed by the said commissioners, to be sworn or affirmed, and under such pay for their respective services as they shall deem proper, and to have power and authority for preventing and removing nuisances therein, in the streets, roads, lanes, alleys, lot, lots, or elsewhere, and directing, appointing and regulating, repairing and cleansing, the said streets, roads, lanes and alleys, laid out before the passing of this act, or may hereafter be laid out; and the same to enforce, put in use and execution, by the proper officers, under such penalties as they may prescribe, and at their pleasure to revoke, alter, and make anew.

And fix salaries.

Regulate streets and alleys.

Jurisdiction of the quarter sessions of Philadelphia county to extend, &c.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the court of general quarter sessions of the peace for the county of Philadelphia, shall have, and they are hereby invested with full power and authority to inquire of, hear, try, and determine all offences which shall be committed within the said township contrary to this act, or against any of the laws, ordinances or regulations that shall be made, ordained or established in pursuance of this act, and to punish the offender or offenders, as by the said laws, ordinances or regulations, shall be prescribed or directed, except where the fines, penalties, or forfeitures shall not exceed the sum of fifty dollars, which shall be recoverable before any justice of the peace of the county: *Provided always,* that if any person or persons shall think him, her, or themselves aggrieved by any judgment to be given as aforesaid, it shall and may be lawful for such person or persons, at any time within the space of twenty days next following the date of such judgment, to appeal therefrom to the next court of common pleas, or quarter sessions of the county of Philadelphia, he, she or they first entering into recognizance with at least one sufficient security, in the sum of one hundred dollars, to prosecute the said appeal with effect, and to abide the order or judgment of the court; or in default thereof to be sent by mittimus to the sheriff of the county, by him to be kept until he, she, or they perform the judgment of the court, or be otherwise legally discharged.

Penalty not to exceed \$ 50.

Appeal given.

Laws to be published.

SECT. IX. *And be it further enacted by the authority aforesaid,* That such and so many of the said laws, ordinances and regulations, as shall not be published in one or more of the daily newspapers, published in the said township, or in the city of Philadelphia, and in hand-bills, and posted up in not less than

ten of the most public places in the township aforesaid, within ten days from and after their being severally passed, ordained and established, and also recorded in the office of the recorder of deeds for the county of Philadelphia, who shall be allowed and paid for recording thereof, at the same rate as is allowed for recording of deeds, within thirty days from and after their being so as aforesaid passed, ordained and established, shall be null and void.

And recorded.

Fees for recording.

SECT. X. *And be it further enacted by the authority aforesaid,* That before any of the said laws, ordinances and regulations, shall be so as aforesaid recorded, the publication thereof respectively shall be proved by the oath or affirmation of some credible person, which oath or affirmation shall be recorded therewith, and at all times be deemed and taken as sufficient evidence of the time of such publications.

Publication of the laws to be proven.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the said commissioners shall have power and authority to limit, direct, and appoint the depth of all vaults, wells and sinks, hereafter to be dug in the northern part of the township, for privies or necessaries; which regulation being so made as aforesaid, shall be published and recorded, and the publication proved in the same manner, and within the same period as is herein before directed; and if any person or persons shall dig, or cause to be dug any such vault, well or sink, for any privy or necessary house, of any greater depth than shall be limited or appointed as aforesaid, every person or persons so offending, and being thereof legally convicted before any justice of the peace of the county, shall forfeit and pay any sum not exceeding fifty dollars; and the said vaults, wells or sinks, shall be filled up at the expense of the owners, subject to the like appeals as is mentioned in the thirteenth section of this act.

Of wells, sinks, &c.

Regulation of, to be published and recorded.

Penalty on offending.

SECT. XII. *And be it further enacted by the authority aforesaid,* That no person or persons shall lay any foundation or party wall within the following described part of said township, *that is to say,* beginning at the north end of Passyunk road, and continuing on the west side thereof to Federal-street, thence westwardly along the said Federal-street on the south side thereof, to the boundary line of the said township of Passyunk, thence northwardly along the said township line to Cedar-street, thence eastward on the south side thereof to the place of beginning, before they shall have applied to the regulators appointed by the said commissioners, who are hereby required and empowered, to appoint one or more discreet and skilful person or persons, for that purpose.

Of foundation and party-walls.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the said regulator or regulators, upon application to him or them made, shall have full power and authority to enter upon the lands of any person or persons, in order to set out

Regulators may enter on lands.

And set out foundations.
How foundations of party walls to be laid.
First builder to be reimbursed.
Value to be fixed.

the foundations, and regulate the walls to be built between party and party, as to the breadth and thickness thereof, which foundation shall be laid equally upon the lands of the persons between whom such party walls are to be made ; and the first builder shall be reimbursed one moiety of the charge of such party wall, or for so much thereof as the next builder shall have occasion to make use of before such next builder shall use or break into the said wall, the charge or value whereof to be fixed by the said regulators, or by arbitrators mutually chosen.

Of appeals.
To be within 20 days.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That all appeals hereafter made from the order, direction, and award of the said regulators or arbitrators, shall be taken and made, and shall lie to the next court of common pleas, to be holden for the county of Philadelphia, within twenty days from the time of making the order, direction or award appealed from, but not afterwards, whereupon the said court upon security being entered by the party appealing, for the payment of all costs, in case he or she should not prevail in his or her appeal, shall direct a venire to the sheriff of the county, commanding him to summon a jury to try the matter in dispute, and shall proceed therein as the law directs.

Jury to be summoned, &c.
Penalty on laying the foundation without applying to the regulators.

SECT. XV. *And be it further enacted by the authority aforesaid,* That if any person or persons shall lay the foundation, or begin to lay the foundation of any party wall adjoining or upon the line of any public street, lane or alley, within the bounds described in the twelfth section of this act, in the said township, before the line and boundaries of the lot or piece of land whereon the said foundation shall be so laid or begun, shall be regulated and marked out by the said regulator or regulators, every such person or persons, as well employer as master builder, shall forfeit and pay any sum not less than five dollars, nor more than fifty dollars, for each and every day the said employer or master builder shall continue any obstruction contrary to regulation made, and to be recovered before any justice of the peace of said county, or any alderman of the city of Philadelphia, for the use of the commissioners of said township, subject to an appeal to the next court of common pleas as aforesaid, and the said forfeiture to be by said commissioners laid out towards keeping in repair the streets, roads, lanes and alleys, and maintaining the poor of said township : *Provided,* such prosecution be commenced within twelve months from the time the offence shall be committed.

How recoverable.
Appeal granted.
Proviso.

Regulators to enter directions, orders, &c.
Which, upon notice, shall

SECT. XVI. *And be it further enacted by the authority aforesaid,* That the regulator or regulators so appointed, shall enter in a book, all directions, orders and awards, by him or them made in pursuance of this act ; and every such order and award, if made with reasonable notice to the parties interest-

ed, shall be conclusive, unless the same be set aside upon appeal as aforesaid, which book shall be provided by the said commissioners, and shall be under their direction: *Provided always*, that no person under age, non compos mentis, feme-covert, imprisoned, or beyond seas, or who shall not have notice as aforesaid, shall be injured or affected by any proceedings, order, direction or award, until the expiration of three years after their coming to full age, return from beyond sea, discovered being at large, of sound memory, or if within the United States, until the expiration of one year after notice in writing, within which period, his, her, or their appeal may be entered and prosecuted as aforesaid.

be final, unless appealed from.

Proviso as to feme coverts, minors, &c.

SECT. XVII. *And be it further enacted by the authority aforesaid*, That the said commissioners shall have full power and authority to demand and receive all monies, goods, chattels and effects whatsoever, whereof any person or persons, or bodies politic or corporate are seized or possessed, or which they shall, or any of them, hold and enjoy, in trust for, or to and for the use of the inhabitants of the said township to which the said inhabitants are entitled, be and they are hereby severally and respectively vested in the said corporation or body politic, and their successors, in and by this act established, by the name, style, and title aforesaid, to and for the use and benefit of the said inhabitants and their successors, forever.

Commissioners may seize goods, &c.

SECT. XVIII. *And be it further enacted by the authority aforesaid*, That the said commissioners shall have full power and authority, for the purpose of carrying this act into effect, to lay and assess all taxes which could be laid or assessed by the supervisors, overseers of the poor, and regulators of the Northern district, or commissioners of said township, at the time of passing this act; and shall have full power, and in like manner, to make and lay yearly and every year, any rate or assessment not exceeding fifty cents in the hundred dollars, in the clear value on all property, real and personal; and the estimation of the annual profits of all trades, professions, made taxable within said township, to be applied to the use of keeping in repair and mending the streets, roads, lanes and alleys, as aforesaid; and also any rate or assessment not exceeding fifty cents in the hundred dollars, to be laid on all real and personal property as aforesaid, to be applied to the use of keeping and maintaining the poor, and procuring them a suitable and proper house or houses within said township, and also to lay yearly and every year, any rate or assessment not exceeding twenty-five cents in the hundred dollars, of the clear value of real and personal estate within the following bounds, *to wit*, Passyunk road, Cedar and Eighth streets, running north and south, and as the streets become open to the west-

And lay tax-
es.

Rate of.

And appropriation.

Poor tax to be laid.

Rate of.

Tax to be laid on real or personal property.

Within what bounds.

ward, continuing north and south with those streets, running east and west inclusive; and the money thereby received shall be applied by the said commissioner; to defray the expenses of sinking and mending pumps which might come under their notice as public property, within the last described limits; and of doing other things and acts necessary thereto, and to appoint a collector or collectors for the taxes aforesaid, from whom adequate securities shall be taken; which rate or assessment being fairly made, shall be transcribed in a book to be kept by the said commissioners, and a duplicate thereof shall be delivered to the collector or collectors, by them to be appointed from the citizens of the said township, who is hereby authorized, enjoined and required, to receive, collect, levy and recover, the rate and assessments in the same manner and form as is by law provided for collecting the county taxes within this commonwealth; and having received or collected the same or any part thereof, shall, when thereto required, account with and pay to the person the commissioners shall appoint their treasurer, all such sums of money which hath been collected, and deduct five per cent. for the collection, the said collector having first given sufficient security for the amount of each duplicate to collect for said township.

Application of the proceeds.

Collectors to be appointed.

Assessment to be entered.

Duplicate to be delivered to collectors.

Who shall collect the same.

And account to the commissioners.

5 per cent. allowed to.

Treasurer to give bond.

His duties.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That the treasurer of the said commissioners, before he undertakes his office, shall give a bond with two sufficient sureties to the commissioners, in such penalty as they from time to time shall judge proper, conditioned that he will, well and faithfully execute his office, keep regular accounts of his receipts and disbursements, pay all the orders drawn on him by the said commissioners or a majority of their board, as soon as sufficient monies shall come to his hands from any of the funds under the direction of the commissioners, and that he will once in every year, or oftener if thereunto required, settle and adjust with the said commissioners a full and just account, supported by proper vouchers, of all his receipts and payments during the preceding time, and that upon his death or the appointment of another treasurer in his room, which the said commissioners or a majority of their board are hereby authorized to do whenever they see cause, he, his executors or administrators, shall and will settle and adjust all his accounts with the said commissioners, and pay the remaining balance in his hands to his successor in office, charging for his trouble no more than shall be allowed him by the commissioners, not exceeding two per cent.

Compensation to.

Part of former acts repealed.

SECT. XX. *And be it further enacted by the authority aforesaid,* That so much of all and every act or acts as directs, authorizes, or requires any matters or things to be done and performed by the supervisors of the public highways, overseers of the poor, regulators of the northern district, or by all or any of them, or

by any other person, or bodies politic or corporate, authorized to lay taxes within said township, or to manage its concerns, shall, from and after the first Monday in April, after the election of commissioners by this act, constituted a body politic and corporate, be null and void, and the said officers shall no longer continue in office, nor shall any new appointment be made of said officers under any former law or act of assembly; *Provided nevertheless*, that nothing herein contained shall bar, prevent, or in any manner impede the recovery of any sum or sums of money, or of any other matter or thing, for the recovery whereof suits have been or may be instituted, but the same may be carried on by the said commissioners hereby incorporated, to final judgment, execution and recovery: *And provided further*, that all and every matter and thing that has been commenced, begun, or entered upon, by the said supervisors, overseers of the poor, regulators and commissioners, or either of them, in pursuance of powers and authorities in them vested, shall be of the same force and effect as if this act had not been made, and may from and after the time last mentioned, be proceeded in and carried into effect agreeably to the directions of this act, as fully as the same might or could have been done by the supervisors, overseers of the poor, regulators and commissioners, or either of them, had this act not been made; and for this purpose all contracts and agreements, made or entered into by the said supervisors, overseers of the poor, regulators and commissioners, or either of them in pursuance of powers in them vested legally, previously to the time last aforesaid, shall be equally binding upon the commissioners and upon the persons with whom the same have been or shall be made, as if the same had been originally made and entered into by and between them: *Provided nevertheless*, that this act shall not interfere with the first, second, third, fourth, and fifth sections of a law, passed March twenty-sixth, one thousand eight hundred and eight, entitled "An act granting certain powers to the inhabitants of the northern part of the township of Moyanensing, authorizing and empowering commissioners to do certain things therein mentioned," except so much of the fourth section which points out the settlement of the accounts of said commissioners, to be by justices of the peace, be null and void, and shall after the election of commissioners under this act, be settled by commissioners; and orders drawn by them on their treasurer for payment instead of the supervisors of said township, and the order of court, as directed in the fifth section of said act, shall be directed to the commissioners instead of the supervisors.

Suits instituted under the former laws, may be proceeded in.

And the proceedings of the supervisors, &c. valid.

And their acts binding upon the commissioners.

Part of a former law exempted from the operation of this act.

Certain accounts to be settled by commissioners, instead of justices of the peace.

SECT. XXI. *And be it further enacted by the authority aforesaid*, That from and after the first Monday in April, following their first election, the commissioners hereby incorporated shall be, and they are hereby fully authorized and empowered, either by Powers of the supervisors transferred to the commissioners.

themselves or by proper persons, to be by them appointed for that purpose, to do, perform and execute, all such matters and things not herein before provided for, as the said supervisors, overseers of the poor, and regulators were at and immediately before the passing of this act, respectively authorized or enabled by law to do.

Commissioners to take possession of estates belonging to the corporation. With the title, deeds. &c.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That all and singular the estate and estates, rights, privileges, and interests aforesaid, may be had and received by the said commissioners, and be by them and their successors faithfully applied to and for the use of the said inhabitants and their successors forever ; *And provided,* that all and every person and persons, or bodies politic and corporate, who are or shall be seized or possessed of the same, or any part thereof, shall on reasonable request, deliver the same to the said commissioners, together with all deeds, writings, evidences, books and papers, touching and concerning the same, with proper assignments, where the same shall be necessary, and just, true and fair accounts thereof ; and whoever shall fail therein, shall be liable to be sued for the same, and shall moreover forfeit and pay to the said commissioners any sum of money, not exceeding five hundred dollars, to be sued for and recovered in any court of record, and to be applied to the use of the inhabitants of said township.

Penalty on failing to deliver to the commissioners the property of the corporation.

Receipts and expenditures to be published.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That the said commissioners shall cause all accounts of receipts and expenditures of money, to be published up to the thirty-first day of December, inclusive, in each and every year, or within three months thereafter ; and the vouchers in support of all charges, may be viewed at any seasonable hour, by any taxable inhabitant who may demand the inspection thereof ; and the said commissioners shall also keep regular minutes of their proceedings, which may be examined by like persons, and at like times, as the accounts aforesaid.

And vouchers exhibited.

Footways and gutters to be paved.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That the said commissioners shall have full power and authority to pave, or cause to be paved, the footways and gutters, within the northern part of said township, or so much thereof as they shall deem necessary, with brick or flat stone as the case may require, and shall plant or cause to be planted, curb-stones or posts as to them may appear proper to prevent the said pavement or gutters from being injured by carriages, agreeable to the regulations made, and to be made and established, by the late regulators and commissioners in pursuance of this act ; *And provided also,* that all and every owner or owners, shall have the privilege of paving their own fronts in manner aforesaid, so that they have the pavement completed in three months after written or printed notice given for that

And curb-stones to be planted.

Owners may pave their own fronts.

purpose by the said commissioners; *And provided further*, that no person shall be obliged to pave any footway to a greater breadth than four feet in front of any lot whereon a dwelling house is not erected, and in case any owner or owners shall neglect or refuse to pave his, her, or their own fronts, in manner aforesaid, for the space of three months after notice aforesaid, it shall and may be lawful for the said commissioners to make, or cause to be made, the said pavement; and the owner or owners so refusing, shall be liable to the commissioners for the expense so incurred, in their proper proportions, together with legal interest and costs, which may be recovered in an action of debt, before any justice of the peace in the county of Philadelphia, or alderman of the city, as debts are recoverable under five dollars thirty-three cents; *And provided further*, that on the petition of a majority of the freeholders residing in any street, lane or alley, or owners requesting the pitching, paving of any such street, lane, or alley aforesaid, the commissioners shall have power and authority to cause the same to be done, if they shall think it necessary, at the expense of the freeholders and owners of said street, lane or alley, to be assessed in proportion to the respective fronts of their property, within the aforesaid township so pitched and paved, and to be recoverable as aforesaid; and upon like application of a majority of the inhabitants residing in any street, lane or alley, to the commissioners, to establish lamps and nightly watch in such street, lane or alley, the expense to be defrayed by an assessment agreeable to the county rates and levies within the district, so lighted and watched, and subject for collection as aforesaid.

Footways not to be more than four feet broad.

Commissioners may pave &c. when the owners refuse.

On petition, any street, lane or alley, may be paved, &c.

Assessment for.

Watch and lamps.

SECT. XXV. *And be it further enacted by the authority aforesaid*, That the said commissioners shall have power and authority to erect, rent, or provide a house or houses in the said township, for the more convenient and comfortable accommodation and employment of the poor settled in said township, where they shall be supported at the common expense of the same, the said commissioners shall exercise and have the powers as directors of the poor and of the house of employment, for said township, and shall and may receive, take, hold and possess, any lands, tenements and hereditaments whatsoever, not exceeding the yearly value of five thousand dollars, and any real estate, goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whomsoever, and purchase, take and hold any land and tenements, in fee simple or otherwise, within the said township, and erect suitable buildings thereon, if they think necessary, for the reception, use and accommodation of the poor of said township, and provide all things necessary for the boarding, lodging, mainte-

Poor house may be rented or erected.

Commissioners to have the powers of directors of the poor. Proceeds of the poor real estate not to exceed \$5000 per annum. Of bequests. Buildings for the poor.

Stewards may be appointed. Who shall account, &c. Powers of the commissioners.

May make by-laws, &c.

Proviso.

Appropriation of the tax on dogs.

Property in the hands of the overseers, &c. to be paid over to the commissioners.

Offices of overseer of the poor and supervisor abolished. Certain act repealed.

nance and employment of the said poor; they shall or may appoint a suitable person or persons as steward or stewards who shall be accountable to, and under the direction of the said commissioners; the said commissioners shall have all the powers and authorities the overseers of the poor had, and now have, under any law or laws of this state, whose powers shall be null and void after the passing of this act, as far as it respects the overseers of the poor of said township, and the said commissioners shall have full power to make and ordain all such by-laws, rules and regulations, as they shall think proper, convenient and necessary, for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of, or respecting all such persons as shall come under their care or cognizance; *Provided*, the same be not repugnant to this law or any other of the laws of this state or of the United States; *And provided also*, that the tax arising on dogs within the township, shall be paid by the collectors, to the treasurer of the guardians of the poor, and by them appropriated for the support of the poor, of said township.

SECT. xxvi. *And be it further enacted by the authority aforesaid*, That all monies, goods, chattels and property whatsoever, which shall be remaining in the hands of the overseers of the poor of said township, as well also all the monies, goods, chattels and property as aforesaid, in the hands of the supervisors of said township, or in the hands of the regulators of the northern district of said township, after the passing of this act, shall be paid over by them, or either of them, and all of them, to the commissioners aforesaid; and the office of overseers of the poor, supervisors of the highways and regulators aforesaid, within said township, shall from thenceforth be abolished, and all and every part of an act entitled, "An act granting certain powers to the inhabitants of the northern part of the township of Moyamensing," except so much of said act as is recited in this act, be and the same is hereby repealed, and made null and void.

JOHN TOD, *Speaker*

of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and twelve.

SIMON SNYDER.