

Assembly met, and it is hereby enacted by the authority of the same. That George Leitner and George Skelton, executors of the last will and testament of Ignatius Leitner, late of the borough of York, deceased, be, and they are hereby authorised to sell to the best advantage, a certain house and half lot of ground situate in the said borough, on the east side of George street, bounded by lots of Benjamin Weiser and Daniel Weaver, being part of the real estate devised by the decedent, and to execute a deed in fee simple to the purchaser thereof. And with the proceeds, the said executors are hereby directed to purchase a suitable house and piece of ground in the said borough, in trust, for the use of Elizabeth Shæffer, a daughter of said deceased, during her life, and at her decease, to be sold by them or the survivor of them. And the monies arising from such sale, as well as any surplus that may have remained of the first sale, above authorised, to be equally divided amongst the children of the said Elizabeth Shæffer: *Provided*, That the said executors, before they proceed to carry into effect any of the provisions of this act, enter into recognizance in the orphan's court of the county of York, with one or more sufficient sureties, in such sum as the said court shall direct, conditioned for the faithful discharge of the several powers, duties and trusts herein mentioned, as well for the investment of any surplus monies arising out of the first sale, in some secure fund for the use of the said Elizabeth, during her life.

REES HILL, *Speaker of the
House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the sixteenth day of March, one thousand eight hundred and nineteen.

WILLIAM FINDLAY.

CHAPTER XC.

AN ACT

To incorporate that part of the township of the Northern Liberties, lying between the middle of Sixth street and the river Delaware, and between Vine street and Cohocksink creek.

SECT. 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 inhabitants of that part of the township of the Northern Liberties, lying between the middle of Sixth street and the river Delaware, and between Vine street and Cohocksink creek, be, and they and their successors forever, are hereby constituted a corporation and body politic, in law and in fact, by the name and style of "The Commissioners and inhabitants of the incorporated district of the Northern Liberties." And by the same name and style, shall have perpetual succession; and they and their successors, shall at all times, forever be able and capable in law, to have, purchase, take and receive, possess and enjoy, lands and tenements, hereditaments, liberties, franchises and jurisdictions, goods, chattels and effects, to grant, bargain, sell, alien and convey, mortgage, pledge, alien and encumber or demise and dispose of at their will and pleasure.

Corporation created.

Name.

Privileges.

SECT. 2. And be it further enacted by the authority aforesaid, That the said corporation by the name and style aforesaid, are and forever shall be, able and capable in law, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts of record and elsewhere, in all manner of actions, suits, complaints, pleas, causes and matters whatsoever; and to do and execute all and singular, other matters and things, that to them, as a body politic and corporate, in law and in fact shall and may appertain. And for that purpose shall have and use one common seal, and the same from time to time shall and may at their will and pleasure change and alter, deface and make anew as to them may appear necessary.

May sue and be sued.

Seal.

SECT. 3. And be it further enacted by the authority aforesaid, That the present commissioners shall be and remain commissioners until the second Tuesday in October next following, the time for which they were severally elected; and they are hereby authorised during the said time, to exercise all the powers and perform all the duties of commissioners hereinafter mentioned. And it shall and may be lawful for the inhabitants residing within the said district, who are or shall be qualified to vote for members of the general assembly of this commonwealth, to elect by ballot, on the second Tuesday in October next, out of such of the inhabitants residing within the said district, as are or may be qualified to serve as members of the said general assembly, seven suitable persons to serve as commissioners, for three years, in the room of those of the present commissioners, whose term of service may then have expired. And on the second Tuesday in October, which will be in the year one thousand eight hundred and twenty, seven like suitable persons to serve as commissioners for three years, in the room of those of the present commissioners, whose term of service will then have expired. And on the second Tuesday of October, which will be in the year one thousand eight hundred and twenty-one,

Present commissioners continued.

Time and manner of electing new ones.

seven like suitable persons to serve as commissioners for three years, in the room of those of the present commissioners, whose term of service will then have expired. And also on the second Tuesday in October, annually thereafter, seven like suitable persons to serve as commissioners for the term of three years, then next ensuing; *Provided always*, That no person shall be excluded from being elected on account of his having before filled the office of commissioner. And that in all cases when the number of votes shall be equal for two or more candidates, the preference shall be decided by lot, to be drawn by the inspectors of said election.

SECT. 4. *And be it further enacted by the authority aforesaid*, That all elections to be held in pursuance and by virtue of this act, shall be held at the commissioners hall in said district, and shall be conducted in the same manner, as by the laws of this commonwealth, is, or shall be directed, for holding the general election for persons to serve in the general assembly of this commonwealth. And the judges and inspectors of the general election, shall conduct and superintend the same, under, and subject to the same rules and penalties, as are or may be prescribed for holding such general election.

Place and mode of conducting the elections.

SECT. 5. *And be it further enacted by the authority aforesaid*, That when each election so had and held in pursuance of this act, shall be closed, and the number of votes for each person shall be ascertained, the judges of the election, or a majority of them, shall prepare and make under their respective hands and seals, a return thereof, containing the names of the commissioners elect, with the number of votes in favor of each, and shall within three days after the closing of such election, give notice in writing to each of the commissioners elect, of their respective elections. And shall also deliver or cause to be delivered, the said return, together with the tickets, lists of tally papers and other documents, sealed up, to the board of commissioners, at the time and place, in and by this act appointed for them to meet and receive the same.

Return of election how made out.

And delivered over.

SECT. 6. *And be it further enacted by the authority aforesaid*, That the persons who shall at every election have the highest number of votes for the said office of commissioner, together with the commissioners whose term shall not have expired, shall meet together, at the commissioners hall in the said district, between the hours of nine and eleven in the forenoon, on the seventh day next subsequent to each and every election, to be held in pursuance of this act, and then and there shall 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 have full power and authority to judge thereof, and to confirm or set aside the same, and to order new elections as the case may require.

Time and place of meeting to receive the returns.

Power of commissioners over the election

SECT. 7. *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 duties of his office, take a solemn oath or affirmation, before some justice of the peace of the county, well and faithfully to execute the duties of a commissioner of said district.

SECT. 8. *And be it further enacted by the authority aforesaid,* That if any commissioner of the said district shall misbehave in office, it shall and may be lawful for any number, not less than fourteen of the said commissioners, to remove in a summary way, any such commissioner from his said office.

SECT. 9. *And be it further enacted by the authority aforesaid,* That in case two or more vacancies shall happen, by death, removal or otherwise, such vacancies may be supplied at the next general election, or a majority of the board of commissioners may appoint special elections for supplying such vacancies, of which they shall cause to be given at least six days notice, by handbills posted up in at least ten of the most public places within each ward in the said district, and such election shall be conducted and the proper return thereof, made in manner and form, as is hereinbefore directed, and the persons so chosen and approved of as aforesaid, shall be commissioners for the remainder of the term, that the commissioners in whose places they were elected had been elected for.

SECT. 10. *And be it further enacted by the authority aforesaid,* That a majority of the whole number of the said commissioners shall be a quorum, for transacting all business, except for the purchase and sale of real estate, for the mortgaging or incumbering the same, or for borrowing money, for which purpose the concurrence of two thirds of the whole number of commissioners shall be essential. And the said commissioners shall not receive any compensation for their services, and at all their meetings the door of their hall shall be open for the admission of any peaceable and orderly citizens.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the board of 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 and regulations, as shall be necessary for the governing of the said district and the welfare thereof, and the same to enforce, put in use and execution at their pleasure, by the proper officer, and also to revoke, alter or amend the same, as the occasion may require: *Provided always,* That such laws, ordinances and regulations, shall not be repugnant to the constitution and laws of the United States or of this commonwealth: *And provided also,* That no law or ordinance or regulation, shall ever be made to annul or alter

Oath, &c. of the commissioner elected.

Commissioner removable for misbehaviour.

Vacancy how supplied.

Quorum.

Hall door to be open.

Ordinances.

Proviso.

2d proviso.

the lines of any street, lane, alley or road, or the courses and degrees of descent, or the distances from the lines of such streets, lanes, alleys or roads, of the gutters, water courses and common sewers within said district, as the same has been surveyed, regulated, fixed and established, under the act, entitled "An act, to authorise the inhabitants of the Northern Liberties, within a described part thereof, to regulate the streets, lanes and alleys within the same, and for other purposes therein mentioned," passed the seventeenth day of April, one thousand seven hundred and ninety-five.

SECT. 12. *And be it further enacted by the authority aforesaid,* That all the said laws, ordinances and regulations, shall be published in one or more of the newspapers printed in the said district, or in the city of Philadelphia, and in hand-bills, posted up in not less than ten of the most public places in each ward of the said district, within ten days from and after their being severally passed, ordained and established, and also recorded in the office for recording of deeds for the city and county of Philadelphia, in a book to be kept for that purpose, within thirty days from and after their being so as aforesaid, passed, ordained and established, otherwise they shall be null and void.

Publication of ordinances

And recording thereof.

Sect. 13. *And be it further enacted by the authority aforesaid,* That before any of the said laws, ordinances or 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 shall at all times be deemed and taken as sufficient evidence of the publication aforesaid.

Publication to be proved on oath, &c.

SECT. 14. *And be it further enacted by the authority aforesaid,* That the district court of the city and county of Philadelphia, shall have, and they are hereby vested with full power and authority, to inquire of, hear, try and determine, all offences which shall be committed within the said incorporated district, contrary to this act or against any of the laws, ordinances or regulations that are or shall be made, ordained or established in pursuance thereof, and punish the offender or offenders, as by the said laws, ordinances and regulations shall be prescribed or directed, except where the fines, penalties or forfeitures shall not exceed the sum of one hundred dollars, which shall be recoverable before any justice of the peace residing within the said district: *Provided always,* That if any person or persons shall think him, or her, or themselves, aggrieved by any judgment to be given by such justice, it shall and may be lawful for such person or persons at any time within the space of six days, next following, the date of such judgment, to appeal therefrom to the next court of common pleas, in and for the county of Philadelphia, he, she, or they, first entering into recognizance, with at least one sufficient security, in double the amount of said judgment, to prosecute the said appeal with effect, and abide the

District court vested with jurisdiction.

Exception thereto.

Proviso.

Right of appeal from a justice.

order 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.

Privies, &c.
power to direct their depth.

Sect. 15. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power and authority, to limit, direct and appoint the depth of all privies, vaults and sinks hereafter to be dug within the said district, which regulation being made as aforesaid, shall be published and recorded, and the publication proved in the same manner and within the same period as is hereinbefore directed. And if any person or persons shall dig or cause to be dug any such privy, vault or sink, of any greater depth than shall be limited or appointed as aforesaid, every such person so offending, and being thereof convicted, shall forfeit and pay the sum of one hundred dollars, to be appropriated towards defraying the contingent expenses of the said corporation. And the said privies, vaults and sinks shall be filled up at the expense of the owners.

Penalty for digging them too deep.

Unpaved foot-ways, power to fill them up.

Sect. 16. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power and authority to fill up all unpaved foot-ways within the said district to any height they may think proper, not exceeding the height established by law, at such time or times as they may deem expedient, and assess the expenses thereby incurred upon the property to which such foot-way is attached, in such portions and at such times as may be necessary to defray the same. And they are hereby authorised to recover such assessments, in the manner prescribed by this act, for the recovering of other taxes within the said district.

And assess the expenses and recover the same.

Foot-ways and gutters, power to pave them. And plant curb stones.

SECT. 17. *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, all or any of the foot-ways and gutters within the said incorporated district which they may deem necessary, with brick or flat stones, 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 pavements or gutters from being injured by carriages, agreeably to the regulations established in the said district; and shall tax the property in front of which such foot-way shall be paved, so much as may be necessary to defray the expenses thereby incurred, in proportion to the extent of the same in front: *Provided always,* That all and every owner or owners of ground, shall have the privilege of paving the foot-way on their own front aforesaid, so that they have it completed within thirty days after due notice in writing being given for that purpose by the said commissioners, or by any person by them appointed: *And provided further,* That no person shall be obliged to pave any foot-way to a greater breadth than five feet in front, on any lot whereon a dwelling house has not been erected.

Proviso.

2d proviso.

SECT. 18. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power and authority, upon the application of a majority of the owners of property, on any street, road, lane or alley, to pitch and pave any such street, road, lane or alley within the said district: *Provided* The same be not less in length than one, nor not exceeding two squares at one time. And the property in front of which such street, road, lane or alley, is pitched and paved, shall be taxed for the expense of such pitching and paving, in proportion to the extent of the same in front, and recovered as hereinafter provided.

Streets, &c.
power to
pitch and
pave.
Proviso.
Expense
how paid.

SECT. 19. *And be it further enacted by the authority aforesaid,* That all taxes assessed by the board of commissioners, shall be collected in the same manner as is or may hereafter be prescribed by law, for collecting and recovering county taxes. And the said board of commissioners are hereby authorised to recover taxes for pitching, paving and curbing in front of property which may be unoccupied, or if occupied, shall not contain sufficient personal property to satisfy the same, in the same manner as the commissioners of the several counties within this commonwealth, now are or hereafter may be authorised to recover taxes on unseated lands within the same. And all assessments for pitching or curbing, the board of commissioners shall be and they are hereby authorised to recover legal interest from the time of making said assessments.

Taxes how
collected.
Taxes for pa-
ving, &c. how
recovered.
Interest re-
coverable
thereon.

SECT. 20. *And be it further enacted by the authority aforesaid,* That all streets, roads, lanes and alleys, which have been heretofore laid out, opened and appropriated to public use within the said district, by private persons, and communicating and running from and to other public highways, shall to all intents and purposes, be held, deemed and taken to be highways, as fully and completely, according to their extents, as if the same had been laid out by order of the court of quarter sessions: *Provided* The same be not less than twelve feet in width.

Streets laid
out for public
use, declared
highways.
Proviso.

SECT. 21. *And be it further enacted by the authority aforesaid,* That in all streets, roads, lanes and alleys, heretofore laid out and appropriated to public use, or which may hereafter be laid out by order of the court of quarter sessions as aforesaid, within the said district, in which the lines and water courses have not been surveyed, ascertained, fixed and established, according to the act, entitled "An act, to authorise the inhabitants of the Northern Liberties, within a certain described part thereof, to regulate the streets, lanes and alleys within the same and for other purposes therein mentioned," passed the seventeenth day of April, anno domini one thousand seven hundred and ninety five. The board of commissioners shall be, and they are hereby empowered, to cause a regulation to be made of the lines and descents of the water courses thereof, as they may think proper: *Provi-*

Water cour-
ses in streets,
&c. power to
regulate their
lines and de-
scents.
Proviso.

2d proviso.

ded, That such regulation shall in all cases conform in their connecting points with the regulation of the water courses of all streets, roads, lanes and alleys, heretofore fixed and established under the act aforesaid: *And provided also*, That when the lines and descents of the water courses in such new streets, roads, lanes or alleys as aforesaid, have been so regulated and fixed, plans thereof shall be made and laid before the board of commissioners, at a special meeting for that purpose to be held, and if two thirds of the said commissioners approve thereof, the president shall thereupon certify such approbation, and the plan with such certificate annexed, shall be lodged in the office of the clerk of the court of quarter sessions of the county of Philadelphia. And the said regulation for the lines and descents of the water courses of such streets, roads, lanes and alleys, shall thereon be and forever remain unalterable.

Officers.

Their oath,
&c.Prohibition
as to commis-
sioners.

SECT. 22. *And be it further enacted by the authority aforesaid*, That for the well government of the said district, and the ordering the affairs thereof, there shall be such officers therein, and at such salaries and compensations as the board of commissioners shall direct and appoint, and each officer by them appointed, shall before entering on the duties of his office, take a solemn oath or affirmation, well and faithfully to perform and execute the same; but no commissioner shall be appointed to any office to which a compensation is attached, nor shall any commissioner be surety for any officer or officers, from whom by this act surety is, or by any law or ordinance of said corporation surety may be required.

Treasurer to
give security.

His duty.

Sect. 23. *And be it further enacted by the authority aforesaid*, That the treasurer of the said district before he undertakes the performance of the duties of his office, shall give a bond and warrant of attorney, to confess judgment thereon, with one or more sufficient freehold sureties, to the board of commissioners, in such penalty as they from time to time may judge proper, conditioned for keeping regular accounts of his receipts and disbursements, for paying all the orders directed by the board of commissioners, to be drawn on him as soon as sufficient monies shall come into his hand from any of the funds under the direction of the said board. And that he will once in every year or oftener, if required, settle and adjust with the board of commissioners, a full and just account supported with proper vouchers. And that upon his death or the appointment of another treasurer in his room, which the said board of commissioners are hereby authorised to do, whenever, and as often as they see proper, he, his executors or administrators, shall settle and adjust all his accounts with the said board, and pay the remaining balance in his hands to his successor in office, and perform all such other duties as may be enjoined by the board at the time of his appointment, charging for his trouble no more than shall have been allowed him by the said board of commissioners.

SECT. 24. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power and authority, to establish a nightly watch, and to fix so many lamps within the said district as from the present state or future improvement thereof, may in their discretion appear necessary. And for the more conveniently watching the same, may divide the said district as they may think proper. Night watch and lamps.

SECT. 25. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall be fully authorised and empowered to build and erect from time to time, as may become necessary, sufficient close culverts in and over the common sewers established in the said district: *Provided,* That two thirds of the whole number of the commissioners agree thereto. Close culverts. Proviso.

SECT. 26. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power and authority, to lay yearly any rate and assessment, not exceeding seventy-five cents, in every hundred dollars of clear value, of all the real and personal estate within the said district, as ascertained by the last county assessment, and a proportional personal tax upon all free white male inhabitants of the said district, agreeably to the said county assessment, and to be applied to the purpose of carrying the provisions of this act into effect, and for defraying the expense of repairing the pumps already erected, or which may be hereafter erected by the inhabitants, and also for defraying the expense of lighting and watching the said district, cleaning and repairing the streets, roads, lanes and alleys, and paving the intersections of the same; for building and erecting close culverts in and over the common sewers, and for defraying the expense of all such matters and things as by this act or by any law or ordinance of the board of commissioners may be requisite for, and beneficial to the health, safety and convenience of the inhabitants of said district. And the said board of commissioners shall also have full power and authority, to appoint collectors of all taxes by this act made payable, from each and every of whom they shall take bond and warrant of attorney, to confess judgment thereon, with at least one sufficient freehold surety, in double the amount of the duplicate delivered to such collector, conditioned for the payment of the amount of said duplicate, in such portions and at such time or times as the said board of commissioners may direct. Rates and assessments. Personal tax. How to be applied. Collectors of taxes.

SECT. 27. *And be it further enacted by the authority aforesaid,* That all the said rates and assessments, after being fairly made, shall be transcribed in a book to be kept by the board of commissioners, and a duplicate thereof shall be delivered to the collectors by them, to be appointed as aforesaid, from among the inhabitants of the said district; and the said collectors are hereby authorised, enjoined and required, to receive, collect and recover, all and every the rates and assess- Transcripts and duplicates thereof. Duty of such collectors.

ments laid, levied and assessed by virtue of this act, in the same manner, and from and by the same legal remedies as are now by law appointed for recovering and collecting the county taxes, and having received or collected the same or any part thereof, shall at the end of every month from the time of receiving the duplicate, or when thereunto required, account with and pay over to the person whom the said board shall appoint for their treasurer, all the sums of money so collected, deducting therefrom such commissions as shall have been agreed upon at the time of their appointment: *Provided*, That such commissions shall not exceed five per centum, on all monies so received or collected, and paid over as aforesaid.

Proviso.

SECT. 28. And be it further enacted by the authority aforesaid, That the expense of repairing the pumps and wells which may be hereafter sunk and erected, by any of the inhabitants of the said district, shall not be defrayed by the board of commissioners, unless the depth of the wells, the quality of the materials with which the pump and well are constructed, and the distance of the same from the line of the street, be conformable to the regulation which is or may be made and established by the said board.

Pumps and wells, when the expense of their repair shall be defrayed.

SECT. 29. And be it further enacted by the authority aforesaid, That the board of commissioners shall have full power and authority to contract with the corporation of the city of Philadelphia, or any person or persons, bodies politic or corporate, for introducing the Schuylkill or other wholesome water into the said incorporated district.

Schuylkill or other water.

SECT. 30. And be it further enacted by the authority aforesaid, That no person or persons shall lay any foundation or party wall within the said district, before they shall have applied to one or more of the regulators appointed by the board of commissioners, who are hereby empowered and required to appoint two or more discreet and skilful persons for that purpose.

Party walls.

SECT. 31. And be it further enacted by the authority aforesaid, That the said regulator or regulators, and his or their assistants, after application to him or them, made for that purpose, shall have full power and authority to enter into and upon the lands of any person or persons, in order to set out the lines for 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: *Provided*, The same is not of a greater or less breadth than may be sufficient for a substantial brick dwelling house. And the first builder shall be reimbursed, one moiety of the charge of such party wall, or so much thereof as the next builder shall have occasion to make use of, before the next builder shall use or break into the said wall, the

Regulators thereof, their power.

Proviso.

charge or value thereof, to be fixed by the said regulators or by arbitrators mutually chosen.

Sect. 32. *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 one calendar month from the time of making the order, direction or award appealed from, but not afterwards nor otherwise; whereupon the said court, upon security being entered by the party appealing for the payment of all costs, in case he or they 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 thereon according to law. Appeals relative to party walls.

Sect. 33. *And be it further enacted by the authority aforesaid,* That no length of possession shall be sufficient to confirm any holder or holders of property, in the right to the ground heretofore built on, beyond the line of any public street, road, lane or alley. And if any person or persons shall hereafter lay or begin to lay, the foundation of any party wall, or wall adjoining to or upon the line of any street, road, lane or alley, or shall erect any frame building within the said incorporated district, without first applying to the said regulators, and having the lines and boundaries of said lot or piece of ground, whereon the said foundation is or ought to be laid, or frame building erected, surveyed and marked out, or if after having the lines and boundaries surveyed and marked out as aforesaid, shall neglect or refuse to build agreeably thereto, and shall extend such foundation or building, a greater distance beyond the same than is allowed by law, in either case, unless determined otherwise on an appeal, every such person or persons, as well the owner of the ground as the master builder or builders, shall forfeit and pay the sum of forty dollars, to be recovered as debts not exceeding one hundred dollars now are or hereafter may be by law recoverable, one half thereof to be appropriated to the use of the board of commissioners, for the purpose of defraying contingent expenses of the corporation, and the other half to the informer, with costs. And every such building or wall so extending beyond the line of any street, road, lane or alley, shall be removed at the expense of the owner or owners thereof: *Provided,* The prosecution be commenced within one year from the time the offence shall have been committed. Ground on a public street, &c. not to be vested by length of possession. Penalty for incroaching on the public streets, &c. by walls or buildings.

Sect. 34. *And be it further enacted by the authority aforesaid,* That the regulators appointed as aforesaid, shall enter in a book, all directions, orders and awards by them made in pursuance of this act; and every such order and award, if made with reasonable notice to the parties interested, shall be conclusive, unless the same be set aside upon an appeal as aforesaid, which book shall be provided and kept by the board Regulators to keep a book. When their orders shall be conclusive.

Proviso.

of commissioners, and shall be under their direction : *Provided always*, That no person under age, non compos mentis, feme covert, imprisoned or beyond sea, 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 the coming to full age, return from beyond sea, discoverture being at large, of sound memory, or if within the United States, until after the expiration of one year after notice in writing, within which period, his or their appeal may be entered and prosecuted as aforesaid.

Town house, markethouse &c. vested.

SECT. 35. *And be it further enacted by the authority aforesaid*, That the building commonly called the town house, together with the market house and stalls, erected in Second street, between Coats street and Poplar lane, be, and the same are hereby vested in the said commissioners and their successors, for the use of the inhabitants of the said district, subject to the payment of the debts due for materials and workmanship, for erecting and improving the same.

Public wharves, &c. vested.

SECT. 36. *And be it further enacted by the authority aforesaid*, That the public wharves or landing places at the end of Coats street, and at the end of Callowhill street, shall be, and the same are hereby vested in, and the title thereto confirmed, to the aforesaid board of commissioners and their successors, for the use and benefit of the inhabitants of the said district, and the public wharf or landing place, commonly called the hayscale landing, as also the public wharf or landing place on the south of, and adjoining Callowhill street, heretofore held in trust by the commissioners of the county of Philadelphia, shall be, and are hereby vested in the board of commissioners of said district, who shall keep the said landings and wharves in good and perfect order and repair, and to improve the same from time to time, in such manner as will most conduce to the public advantage, and whenever the funds which shall arise therefrom, shall over and above the said repairs and improvements, be sufficient to purchase other landings or wharves, it shall be the duty of the said commissioners to make such purchases within the township of the Northern Liberties, and to improve the same.

Hayscale landing and wharf, south of Callowhill street, vested

When purchases may be made.

All lands, &c. held in trust for the inhabitants, vested in the corporation.

SECT. 37. *And be it further enacted by the authority aforesaid*, That all lands and landing places, tenements, hereditaments, ferries, wharves, markets, stalls, rights, franchises, liberties, privileges, goods, chattels and effects whatever, whereof any person or persons, bodies politic and corporate, are seized or possessed, or which they or any of them hold and enjoy in trust for, or to, and for the use of the inhabitants of the said district, 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 ; saving nevertheless,

Saving.

to all and every person and persons, and bodies politic and corporate, his, her and their rights, in all and every part of the estates in this and the two next preceeding sections mentioned or described, other than so far as it vests the trust thereof in the hands of the commissioners of the said incorporated district.

SECT. 38. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall have full power ^{Measurers of} and authority to appoint a suitable person or persons, under ^{cord wood.} such security and penalties as to them may appear necessary, for the inspection and measurement of all cord wood that may be landed or offered for sale within any part of the said district; and to make, ordain, and establish such, and so ^{Ordinances relative to} many laws, ordinances and regulations, not inconsistent with ^{tolls and} the constitution and laws of this commonwealth, as shall be ^{wharfage and} necessary and convenient for affixing the tolls and rate of ^{business done} wharfage, for all articles brought to public landings within ^{on the corpo-} the said incorporated district, for directing the conduct of all ^{rate property} persons concerned in buying, selling or acting on any part of the estate belonging to the said corporation.

SECT. 39. *And be it further enacted by the authority aforesaid,* That the board of commissioners shall cause all ^{Accounts to} accounts of receipts, and expenditures of money, to be publish- ^{be published.} ed, up to the thirty-first day of December inclusive, in each and every year, within three months thereafter; and the vou- ^{Vouchers} chers in support of all charges may be viewed at reasonable ^{may be view-} hours, by any taxable inhabitant owning property within the ^{cd.} bounds of the corporation, who may demand the inspection thereof, and the said board shall also keep regular minutes of ^{Board to keep} their proceedings, which may be examined by like persons, ^{minutes.} and at like times as the accounts aforesaid.

SECT. 40. *And be it further enacted by the authority aforesaid,* That all and every person or persons, bodies politic or ^{Lands, deeds,} corporate, who are or shall be seized or possessed of any lands, ^{&c. to be de-} tenements and hereditaments, goods, chattels, monies and ef- ^{livered over} fects whatsoever, which they or any of them hold or enjoy in ^{and assigned.} trust, for, or to, and for the use of the inhabitants of the said incorporated district, to which the said inhabitants are entitled, shall on reasonable request, deliver the same to the board of 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. And every person failing therein, shall be liable to an action, and on conviction shall forfeit and pay to ^{Penalty for} the said board, any sum of money not exceeding two hundred ^{not doing so.} dollars, to be sued for and recovered in any court of record, and to be applied to the use of the inhabitants of the said district, for defraying the contingent expenses thereof.

SECT. 41. *And be it further enacted by the authority aforesaid,* That no misnomer of the said corporation shall defeat

Proviso. or annul any gift, grant, devise, or bequest, to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear on the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation. Nor shall any misuser or nonuser of the rights, liberties, privileges, jurisdictions and authorities, granted to the said corporation, or any of them, create or cause a forfeiture thereof.

Misusers not to create forfeiture.

Repeal of former acts.

SECT. 42. *And be it further enacted by the authority aforesaid*, That the act, entitled "An act, to incorporate that part of the township of the Northern Liberties, lying between the west side of Sixth street and the river Delaware, and between Vine street and Cohocksink creek," passed the twenty eighth day of March, Anno Domini one thousand eight hundred and three, and the supplement to the said act, passed the thirtieth day of March, Anno Domini one thousand eight hundred and eleven, and the further supplement thereto, passed the eighth day of February, Anno Domini one thousand eight hundred and fifteen, and the act, entitled "An act, for building a town-house and market place, between Coats street and Poplar lane, in Second street, continued in the Northern Liberties, of the county of Philadelphia, and for other purposes therein mentioned," passed the twenty-seventh day of March, Anno Domini one thousand seven hundred and ninety-five, and the third and fourth sections of the act, entitled "An act, for raising by way of lottery, the sum of five thousand two hundred and fifty pounds, for purchasing a public landing in the Northern Liberties and paving the streets in the city of Philadelphia," passed the twentieth of February, Anno Domini one thousand seven hundred and sixty-eight, and the act, entitled "An act, respecting the public landings and wharves, in the township of the Northern Liberties, in the county of Philadelphia," passed the fourth day of April, Anno Domini one thousand seven hundred and ninety-six, and so much of an act, entitled "An act, for appointing regulators in the southern part of the Northern Liberties of the city of Philadelphia," passed the ninth day of March, Anno Domini one thousand seven hundred and seventy-one, as respects the appointment of regulators and the regulation within the said incorporated district, together with so much of all the acts as are hereby altered or supplied, be, and the same are hereby repealed: *Provided however*, That nothing herein contained shall bar, prevent, or in any manner impede the collection of taxes in said district, or 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 board of commissioners hereby incorporated, to final judgment, execution and recovery: *And provided also*, That all ordinances, resolutions, rules and regulations heretofore made, ordained and enacted by the commissioners of the said district, not contrary to the laws

Proviso.

2d proviso.

or constitution of this commonwealth, shall be, and remain in as full force and effect, until repealed, altered or supplied by the said commissioners, as if this act had not been passed.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the sixteenth day of March, one thousand eight hundred and nineteen.

WILLIAM FINDLAY.

CHAPTER XCI.

AN ACT

To authorise the Connellsville Navigation Company, the Youghogeni Bank of Pennsylvania, and the Farmers and Mechanics Bank of Fayette county, to recover the debts due to them, and for other purposes.

SECT. 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, the Connellsville navigation company, the Youghogeni bank of Pennsylvania, and the Farmers and Mechanics bank of Fayette county, shall have the same remedy, by suit or action, which is given by law to any bank, association or individual, for the recovery of any debt or sum of money due to said banks or companies, from any company, individual or individuals, who may have procured accommodation at said banks or companies, whether the note, bond or other evidence of debt, be made payable to said banks or companies, or any officer or individual in behalf of the same. Remedy given by suit.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the Connellsville navigation company, the Youghogeni bank of Pennsylvania, and the Farmers and Mechanics bank of Fayette county, their assignee or assignees, shall at all times be bound to receive the notes or tickets issued by them, in payment of any debt or sum of money due to said banks or companies, their assignee or assignees, whether tendered by the company, individual or individuals from whom it is due as aforesaid, or by any officer who may have collected The banks bound to receive their own notes or tickets in payment.