

No. 95.

An Act

Further to incorporate the district of the Northern Liberties, in the county of Philadelphia, and for other purposes.

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 it shall and may be lawful for the commissioners of the incorporated district of the Northern Liberties, to make and ordain ordinances, rules and regulations, for the government and regulation of markets held in the said incorporated district, or in any street, yard, or place thereof, to prescribe particularly the manner in which the clerk of the markets shall proceed in the seizure of butter, lard, or other articles which are, or may be made seizable by their ordinances, and generally to do all such acts and things in relation to the good government of the said markets and market places, as to them shall seem proper, and as may not be inconsistent with the laws of this commonwealth, any thing in the act entitled "An act to regulate the assize of bread, and for other purposes therein mentioned," passed the eighteenth day of March, seventeen hundred and seventy-five, to the contrary notwithstanding.

Commissioners may make ordinances.

Seizure of butter and other articles

SECTION 2. Immediately after the passage of this act, the commissioners for the city and county of Philadelphia, shall employ one or more competent, skillful surveyors, or regulators, whose duty it shall be, to proceed without delay to survey and regulate the ascents, descents, width of footways, water courses, and common sewers, in all the public streets, lanes, courts and alleys, in that part of the township of Passyunk which is bounded on the north by the city of Philadelphia, on the east by the township of Moyamensing, on the south by Federal street and Buck lane, and on the west by the river Schuylkill; or so much thereof as the progress of improvements, and the public convenience may, in the opinion of the said commissioners, be necessary and expedient, and immediately after the completion of such survey and regulation, it shall be the duty of the person or persons making the same, to make, or cause to be made, a plan or draft thereof, which they shall return into the office of the clerk of the court of Quarter Sessions aforesaid, and the said court shall thereupon, appoint a time and place to hear any objection that may be made thereto, by any owner

Regulators to be employed.

Their duties.

Draft of survey & regulation to be returned to court of Q. Sessions.

of property within the limits aforesaid, who may think him or herself aggrieved by the said survey and regulation, of which time and place, at least ten days notice shall be given, by advertisement, in two or more newspapers published in the city of Philadelphia, and if any person shall appear and object to said survey and regulation, it shall be the duty of the said court of Quarter Sessions, to hear and decide upon such objections, and to adjudge and determine whether the said survey and regulation shall be fully and finally established, or whether any, and what alteration shall be made therein, and further, direct the said plan or draft, with their adjudication thereupon, to be recorded or filed in the office of the clerk of the said court, which survey and regulation shall thereupon be and remain unalterable.

SECTION 3. That if the survey and regulation which shall be made and confirmed under this act, shall not extend the whole of that part of Passyunk township therein described, then the court of Quarter Sessions aforesaid, is hereby further authorized and empowered, whenever it shall appear expedient to the said commissioners, to appoint the same, or other competent persons, to survey and regulate the remaining portion of the said district, or so much thereof as may be thought necessary; and the person or persons so employed, after the completion of the survey and regulation so made, shall deposit in the office of the clerk of the court aforesaid, a plan or draft of such survey and regulation, and after the said plan or draft shall have been so deposited, it shall be the duty of the person or persons at whose instance the survey and regulation shall have been made, to give at least thirty days notice, in two of the public newspapers published in the city of Philadelphia, that on a certain day, to be fixed by the court, the said court will hear any objections that may be made thereto, by any person owning property within the said district; mentioning also the place where the said plan or draft is deposited for inspection; and the said court shall, at the time appointed, adjudge whether any, and if any, what alterations shall be made therein, and shall further direct the said plan or draft, with such alterations as may be made, to be filed or recorded in the office of the clerk of the said court, which survey and regulation so filed or recorded, shall be and remain unalterable: *Provided always*, That it shall not interfere with the survey and regulation which shall have been made and confirmed under this act.

SECTION 4. The said surveyor or surveyors, shall survey and lay out Sutherland avenue, in the said township, seventy feet in width, from the United States arsenal, (to which laid out.

place it is now opened,) to Gray's ferry road, as near to the river Schuylkill as may be practicable, and upon the report of the said commissioners, the said court shall, if they approve of the same, order and direct the said avenue to be opened for public use, as a public highway, the expenses attending the said survey and report, to be paid as directed by this act: *Provided*, That the owners of the property through which the said avenue shall pass, shall not be entitled to damages in consequence of opening the same.

Proviso.

Width of avenue from South or Cedar street to Peltz st.

SECTION 5. That the said avenue, from South or Cedar street, to Peltz street, be, and the same is hereby reduced to the width of seventy feet from the east line, the thirty feet of the present width on the western side thereof, being hereby vacated.

Power to enter upon lots to make surveys.

SECTION 6. That for the purpose of effecting the surveys and regulations authorized by this act, the persons appointed pursuant to the authority herein given, with their assistant or assistants, are hereby authorized and empowered to enter upon all, or any of the lots or lands within the limits described in this act.

Commiss'rs. of S. Garden to cause sewers to be laid when petitioned for.

SECTION 7. It shall be lawful for the commissioners of the district of Spring Garden, on the petition, in writing, of a majority of the owners of the real estate fronting on any square, or two squares, of any street, lane, or alley in said district, to cause sewers to be laid in any such street, lane or alley, for the purpose of draining the lots fronting them, and the expenses thereof, or so much thereof as would be necessary to construct a culvert, not exceeding in diameter three feet in the clear, together with the interest and expenses of collection, the same to be paid as is provided by the laws and ordinances relating to the introduction of the Scuykill water into the said district: *Provided*, That no culvert as aforesaid, shall empty into, or in any way interfere with Fair Mount dam, but shall empty below the said dam, should they empty into the river Schuylkill.

Proviso.

Auditors to adjust accounts of Pine Church cong're'n. in Adams co.

SECTION 8. Henry Meyers, of Tyrone, William Cashman, Sen., and John Brugh, be, and are hereby appointed auditors, with authority to examine and adjust the accounts of the trustees of the Pine church congregation, in the county of Adams, agreeable to an act passed the twenty-fourth day of March, in the year one thousand eight hundred and seventeen, entitled "An act authorizing William Gilleland, William Kerr, and Moses McHvane, to sell and convey certain land therein mentioned," and collect and invest the balance found due, agreeable to said act.

Liggett's Gap Railroad co.

SECTION 9. The time limited by the act of seventh April, one thousand eight hundred and thirty two, incorporating

the Ligget's Gap Railroad company, for commencing said Time of com-
railroad, shall be extended to five years from the passage of mencing it
this act, and the time for completing the same, to ten years extended.
from the passage of this act.

SECTION 10. The second section of an act entitled "A fur-Relative to
ther supplement to an act entitled An act to incorporate the Lancaster
city of Lancaster," passed the fifteenth day of February, one city.
thousand eight hundred and thirty-four, be, and the same is
hereby repealed, so far only as is herein after provided for, and
the two several acts, the one entitled "An act for the better
regulation of the city of Lancaster, and relative to the re-
pair of public bridges in Lancaster county," passed the
twelfth day of April, one thousand eight hundred and twenty
eight, and the other a supplement to the aforesaid act,
passed the fourteenth day of April, one thousand eight hun-
dred and twenty-eight, be, and the same are hereby re-
enacted and enforced, so far as the same shall be necessary
to enable the courts of Quarter Sessions of Lancaster coun-
ty, under the authority of the aforesaid acts, to cause a
public road, now laid out and constructed under an order of
the said court, leading from the village of Safeharbor, on Road to Safe-
the Susquehanna river, to the boundary line of the city of harbor.
Lancaster, to be opened and extended to a road known by
the name of Love Lane, in the said city, and running per-
pendicular to the said road, so completed, to the boundary
line as aforesaid.

SECTION 11. That such provisions of the several acts of Continuing
assembly of this commonwealth, which have been altered or in force pro-
supplied by the following acts, viz: "An act relating to the visions of
commencement of actions;" "An act relating to reference certain alter-
and arbitration;" "An act relating to assignees for the ed acts, and
benefit of creditors and other trustees;" "An act relating making valid
to the attachment of vessels;" "An act relative to the certain pro-
organization of courts of justice;" "An act relative to bonds, ceedings had
with penalties and official bonds;" "An act relating to, in conformi-
counties and townships, and county and township officers;" ty, forthwith.
"An act relating to county rates and levies, and township
rates and levies;" "An act relative to the jurisdiction and
powers of the courts;" "An act relating to domestic at-
tachments;" "An act relating to executions;" "An act
relating to insolvent debtors;" "An act relating to luna-
tics and habitual drunkards;" "An act relating to the lien
of mechanics and others upon buildings;" "An act relating
to Orphans' courts;" "An act relating to the support and
employment of the poor;" "An act relating to registers
and register's courts;" "An act relating to roads, highways
and bridges," be, and continue in force, so far as may be

necessary to carry into full effect any proceedings not consummated at the times when the several acts hereinbefore enumerated came into operation; and all proceedings since the passing of the said specially enumerated acts, which have taken place in conformity with prior existing laws, shall be deemed and taken to be good and valid, to all intents and purposes.

Commiss'rs appointed to cause a survey to be made of the streets, &c. of West Philadelphia, Blockley and Kingsessing.

SECTION 12. That Henry Leech, Frederick Sorber, and Joseph B. Haines, be, and they are hereby appointed commissioners, who, or any two of them, shall have full power and authority, and they are hereby enjoined and required to employ a suitable and competent surveyor, and cause a survey to be made of the streets, roads, lanes and alleys, in the borough of West Philadelphia, and all of the township of Blockley, and that part of Kingsessing, bounded east by the river Schuylkill, and laying north-east of Gray's lane; and the said commissioners shall have authority to survey and lay down such streets, roads, lanes, and alleys, as they shall deem necessary, within the said limits, for the convenience of the public, and inhabitants thereof, and said commissioners shall make, or cause to be made, a correct plan or draft thereof, with the names of the streets, and all other explanations necessary to a perfect understanding of the same, and file the same in the office of the court of Quarter Sessions, for public inspection and examination, and the clerk of the said court shall give notice, in at least two daily papers published in Philadelphia, that on a certain day, to be fixed by the court, the said court will hear any objections that may be made thereto, by any of the freeholders residing within the said limits, who shall consider themselves aggrieved, and the said court shall, at the time appointed, judge and determine whether the same shall be fully and finally established, and direct the said plan, with such alterations as shall be made, to be recorded, and from thenceforth, all the streets, lanes, and roads so approved, shall be forever hereafter deemed, adjudged, and taken as public highways: *Provided*, That nothing herein contained shall authorize any survey to be made of any street, road, or lane, through the land known as the Philadelphia Alms House property, in Blockley: *And provided also*, That the plan and surveys shall conform as near as possible, with the plan of the city of Philadelphia, and the present plan of Hamilton village.

Draft to be filed, etc.

Objections to be heard.

Proviso.

2d Proviso.

Right to enter upon lands.

SECTION 13. That the said commissioners, for the purpose of effecting the said surveys, and the persons employed by them, are hereby authorized to enter upon all, or any lands within the limits described in this act, and to enter upon all or any lands within the limits described in this act, and the

said commissioners shall each receive from the township of Blockley, and borough of West Philadelphia, equally out of the road tax, for the services, not exceeding fifty dollars in any one year, and such other allowance for the pay of the surveyors, and the costs of making the plans and drafts, as the councils of West Philadelphia may determine or agree to: *Provided*, That none of the said streets, roads, lanes or Proviso. alleys, shall be opened, but by due course of law: *And provided also*, That the township of Blockley, and borough of West Philadelphia, shall in equal portions, pay the expense of the said survey and plans. ^{2d Proviso.}

SECTION 14. That Samuel Roseburg, W. W. Irvin, James Ross, Jr. Joseph Welsh, P. Mulvany, S. Gormly, W. A. Simpson, T. S. Clarke, William Witty, A. Curting, R. C. Stockton, H. M. Watts, and Thomas Liggett, Jr. be, and they are hereby appointed and authorized as commissioners to carry out and perform the provisions of an act, entitled "An act to incorporate the Pittsburg Savings' Institution," passed the eleventh day of April, Anno Domini, eighteen hundred and thirty-four, said commissioners to be in the stead and place of those mentioned in said act, and the commissioners named in this section, shall be invested with the rights and powers. rights and powers given in the act to which this a supplement.

LEWIS DEWART,

Speaker of the House of Representatives.

J. R. BURDEN,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini, one thousand eight hundred and thirty-seven.

JOS : RITNER.

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No. 96.

An Act

For the relief of Joseph Wilt, late Brigade Inspector of Lehigh county, and for other purposes.

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 State Treasurer be, and he is hereby authorized and required to refund to Joseph Wilt, late