

# A C T S

OF THE

## General Assembly of Pennsylvania.

Passed at a Session which commenced September 30th, 1775,  
and ended April 8th, 1776.

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JOHN PENN LIEUTENANT GOVERNOR.

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### CHAPTER DCCXVII.

*An ACT to continue part of an act, made in the eleventh year of the reign of his present Majesty King George the third, entitled An Act for regulating and continuing the nightly watch, enlightening the streets, lanes and alleys of the city of Philadelphia, and for other purposes therein mentioned, and for making further provision for the better executing the said act. (a)*

**WHEREAS** an act made in the eleventh year of the reign of his present Majesty King George the third, entitled *An Act for regulating and continuing the nightly watch, enlightening the streets, lanes and alleys of the city of Philadelphia, and for other purposes therein mentioned*, will soon expire by its own limitation: And whereas the continuance of the said act, with some alterations and amendments, will tend to the advantage and security of the inhabitants of the said city: *Be it therefore enacted*, That the said act, and every clause, matter and thing, therein contained (except only where the same is hereby altered and varied) be, and is hereby declared to be, in full force, and made perpetual.

Act of the  
eleventh  
George III.  
made per-  
petual.

Former al-  
lowance of  
seven shil-  
lings and six  
pence to per-  
sons who  
keep pumps  
in their own  
yards discon-  
tinued.

**II.** And for the remedying such defects and inconveniences as have appeared in the execution of the said act, *Be it enacted*, That so much of the said act, as relates to an allowance of seven shillings and six-pence *per annum*, to such persons as keep pumps in their respective yards, be discontinued, and from and after the publication hereof do cease and determine. And if it shall happen that any such pump shall be used on any public occasion of fire, or other-

(a) For the original act, see ante. chap. 636. See, likewise, post. chap. 1090.  
(Note to former edition.)

wise, and any damage or injury shall be sustained by the owner thereof in his fences, buildings or yards, or such pump shall be damaged thereby, it shall and may be lawful for the said Wardens, and they are hereby required to repair the same, or compensate the owner or occupier thereof for such damage, out of the money raised by virtue of this act. And also that so much of the said act, as limits the rate of assessment made by virtue of the said act, so as that it shall not exceed the value of five pence in the pound for any one year, do in like manner cease and determine, and that it shall and may be lawful for the said Assessors, from and after the first day of October next, to encrease and enlarge the said rate, if necessary, so as the same shall not in any one year exceed the value of six pence in the pound.

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Assessors  
may enlarge  
the rate if  
necessary.

III. And whereas difficulties and inconveniences have arisen from the inaccuracy and irregularity of the returns made by the several Constables, in order to lay the assessment directed by the said act, and it is also represented that the time allowed for such service is too short: For remedying whereof, *Be it enacted*, That from and after the first day of October next, such returns or certificates of the taxables in the respective wards of the said city shall be made by one intelligent freeholder, to be chosen for that purpose out of each ward of the said city, at the same time, in the same manner, and by the same persons, as the Inspectors for holding annual elections now are; whose names, when so chosen, shall be returned in writing to the Wardens, under the hands of the constables and two or more of the electors, on or before the first day of October next following, by the Constable of the said ward; which said freeholders are hereby required and enjoined, under the like qualifications, to be administered by any of the aforesaid Wardens, as by the said act were directed to be administered to the Constables in such case, to do and perform the several duties, acts, matters and things, as by the said act the several Constables of the said city were heretofore required and directed to do, so far as the same relates to making true and fair certificates of the taxables in their respective wards; which said freeholders shall be entitled to receive from the treasurer of the said Wardens four shillings and six pence per day, for their care and trouble in executing and performing the said service.

An intelligent freeholder to be chosen out of each ward to make return of the taxables, &c.

IV. *And be it further enacted*, That if any of the said freeholders, so chosen and appointed for the above purposes, shall refuse or neglect to take upon him or themselves, the said office, or to do and perform the services and duties hereby required of him or them, he or they, so refusing or neglecting, shall pay to the said Treasurer the sum of five pounds, to be recovered in the same manner, and applied to the same uses, as the other penalties and fines, in and by the said act imposed, limited and directed.

Penalty on freeholders refusing to serve.

V. *Be it also enacted*, That if at any time hereafter there shall be any neglect or omission in choosing the said freeholders, or any of them, or if, being so chosen, they, or any of them, shall neglect or refuse to take upon him or themselves the said office, or to do and perform the service to be by them done and performed by virtue of this act, that then, and in every such case, the said Wardens may and shall, until a succeeding election, appoint suitable and proper

In case of omission in choosing freeholders, Wardens may appoint suitable persons, &c.

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persons, as the occasion may require, to perform the said service; which persons when appointed, shall have the same powers, be under the same restrictions, and subject to the same penalties, as if such person or persons had been regularly chosen and elected as aforesaid.

Certificates  
to be return-  
ed in ten  
days.

VI. *Be it also enacted*, That the time for making and returning the certificates of the taxables, by the said act directed, be extended to the term of ten days next after the date of the precept issued by the Wardens for that purpose.

Wardens,  
&c. remov-  
ing out of  
the province,  
&c. how  
their places  
are to be sup-  
plied.

VII. And whereas there is no provision made by said act, in case any of the said Wardens, Assessors or Freeholders, should remove from this city, and thereby become incapable to perform the several duties of their respective offices. For remedy whereof, *Be it enacted*, That if any of the said Wardens, Assessors or Freeholders, shall happen to remove, during the time for which they are so chosen or appointed, out of this province, or to a greater distance from the city of Philadelphia than three miles, the Wardens and Assessors for the time being, or a majority of them, shall, in every such case, appoint one or more fit person or persons, in the place and stead of such Warden or Wardens, Assessor or Assessors, Freeholder or Freeholders, so removing as aforesaid, in the same manner as if such Warden, Assessor or Freeholder, was deceased, or had refused to execute the said office.

Passed 6th April, 1776.—Recorded A. vol. VI. page 90.

☞ *With this Session, the Legislative authority, under the Proprietary Government terminated; to which succeeded the Legislative authority established by the Constitution of Pennsylvania on the 28th September, 1776.*