

could or ought to have been in cases of the like nature under the late government aforementioned; and the action or actions that may be so brought or commenced shall be in the name of the president of the commonwealth of Pennsylvania.

[Section II] (Section III, P. L.) And be it further enacted by the authority aforesaid, That in all cases where by the laws aforesaid the governor is mentioned in the said laws as the person empowered to put the same in execution, it is hereby declared that the president of this state for the time being shall be deemed and taken to be in the place and stead of the governor and within the meaning and intention of the law, and in all such cases as aforesaid the president is hereby declared to have and ought to have and exercise equal powers and authority to order and direct the execution and performance thereof as any governor had, or ought to have had, and his orders and directions shall be and are hereby declared to [have] equal force, power, authority and effect which those heretofore issued and given by the governors of Pennsylvania have heretofore had or ought to have had and exercised respectively.

Passed March 11, 1777.

CHAPTER DCCXLVI.

AN ACT TO EMPOWER THE JUSTICES OF THE PEACE FOR THE CITY OF PHILADELPHIA TO DO AND PERFORM CERTAIN MATTERS AND THINGS FORMERLY DIRECTED TO BE DONE AND PERFORMED BY THE MAYOR, RECORDER AND ALDERMEN OF THE SAID CITY.

(Section I, P. L.) Whereas by an act of general assembly of the province of Pennsylvania passed on the seventh day of June, in the year of our Lord one thousand seven hundred and twelve, entitled "An act for raising money on the inhabitants of the city of Philadelphia for the public use and benefit thereof,"¹ and by one other act, entitled "An act for regulating party walls, buildings and partition fences in the city of Philadelphia;"²

¹ Passed June 7, 1712, Chapter 185.

² Passed February 24, 1721, Chapter 242.

and by one other act passed the twenty-first day of October in the year of our Lord one thousand seven hundred and sixty-one, entitled "An act for the better employment, relief and support of the poor within the city of Philadelphia, the district of Southwark and the township of Moyamensing, Passyunk and the Northern Liberties;"¹ and by one other act passed the eighteenth day of February in the year of our Lord one thousand seven hundred and sixty-nine, entitled "An act for regulating, pitching, paving and cleansing the highways, streets, lanes and alleys, and for regulating, making and amending the watercourses and common sewers within the inhabited and settled parts of the city of Philadelphia for raising money for defraying the expenses thereof and for other purposes therein mentioned;"² and by one other act passed the ninth day of March in the year of our Lord one thousand seven hundred and seventy-one, entitled "An act for the relief of the poor;"³ and by one other act passed the same day, entitled "An act for regulating and continuing the nightly watch and enlightening the streets, lanes and alleys in the city of Philadelphia and for other purposes therein mentioned,"⁴ the aid and assistance of the mayor, recorder and aldermen of the city of Philadelphia or some or one of them were necessary to enable the proper officers elected or appointed in pursuance of the above-recited acts of assembly or any of them to put such act or acts in force:

(Section II, P. L.) And whereas by the change of the government of the said province the powers of the mayor, recorder and aldermen have ceased and become void, whereby the aforesaid acts of assembly cannot be put in force according to the true intent and meaning thereof, to the great inconvenience and injury of the good people of the said city, district and townships:

For remedy whereof:

[Section I] (Section III, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That in all cases where by any or

¹ Passed February 8, 1766, Chapter 534, (The date in text an error.)

² Passed February 18, 1769, Chapter 594.

³ Passed March 9, 1771, Chapter 635.

⁴ Passed March 9, 1771, Chapter 636.

either of the aforementioned acts of general assembly the mayor or recorder and one or more of the aldermen of the city of Philadelphia are or is made necessary for the execution of or in anywise putting in force such act respectively, or to enable any officer or officers mentioned therein to do and perform the duties and services of him or them required, the justices of the peace of the said city of Philadelphia or any three of them shall be and are hereby declared to be able and capable in law to do and perform all and singular the duties and services that are in and by the said several and respective acts of assembly required of and from the mayor or recorder or aldermen of the said city, and in all cases where the said justices or any three of them shall act, do and perform any duty, service or business that is in any of the said acts required to be done and performed by the mayor, recorder and alderman the same shall be and is hereby declared of the same force and effect and as sufficient and binding in all cases on all persons that shall be within the meaning and intention of this act as the same could or ought to have been heretofore when such service and duty were done and performed by the mayor, recorder and aldermen agreeable to the intent and meaning of the several and respective acts aforesaid.

Passed March 14, 1777. See the Acts of Assembly passed March 21, 1777, Chapter 754; March 31, 1784, Chapter 1093; March 11, 1789, Chapter 1394; April 13, 1791, Chapter 1575.

CHAPTER DCCXLVII.

AN ACT TO REVIVE AND PUT IN FORCE AN ACT, ENTITLED "AN ACT TO REGULATE THE FISHERY IN THE RIVER SCHUYLKILL."

(Section 1, P. L.) Whereas by an act of general assembly of the province of Pennsylvania passed the ninth day of March in the year of our Lord one thousand seven hundred and seventy-one, entitled "An act to regulate the fishery in the river Schuylkill,"¹ the shad fisheries were put under certain regulations that have been found to be very advantageous to the inhabitants re-

¹ Passed March 9, 1771, Chapter 621.