

## CHAPTER MDIX.

A FURTHER SUPPLEMENT TO THE ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF PHILADELPHIA."<sup>1</sup>

(Section I, P. L.) Whereas the power of appointing collectors of the taxes for paving, lighting and watching the streets of the city of Philadelphia was formerly vested in the city assessors and since those officers have been by law directed no longer to be chosen the authority of appointing such collectors has lapsed:

And whereas by the thirty-fifth section of the act to incorporate the city of Philadelphia the mayor recorder, aldermen and common councilmen are empowered to execute and perform all such matters and things as the wardens and street commissioners were at and immediately before the passing of the said act respectively authorized and enabled by law to do, and by the thirty-sixth section of the said act the mayor or recorder and four of the aldermen are empowered to do and perform all such matters and things as the said wardens and street commissioners were respectively at [and] immediately before the enacting the said act authorized and enabled by law to do and perform in conjunction with any justice or justices of the peace of and for the city and county of Philadelphia or either of them:

And whereas it will be more convenient and beneficial that instead of separating and dividing the above mentioned powers as the said act directs that the whole of the said powers should be vested in and exercised by such person or persons and in such manner as the said mayor or recorder, aldermen and common councilmen in common council assembled shall regulate, ordain, enact and appoint: And whereas some of the existing laws relative to the paving, lighting and watching the streets of the city of Philadelphia contain regulations which are [now]

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<sup>1</sup> Passed March 11, 1789, Chapter 1394.

and authority to make, ordain, constitute and establish such and so many laws, ordinances, regulations and constitutions as shall be convenient and necessary for the purposes of estimating, assessing, raising and levying of taxes upon the persons of single men and upon the estates real and personal of the inhabitants of the city of Philadelphia for the purposes of lighting, watching, watering, pitching, paving and cleaning of the streets, lanes and alleys of the said city and directing, appointing and regulating the time, order and manner of estimating assessing, raising, levying and collecting of the said somewhat inconvenient and others which may be improved, wherefore it will be most convenient and proper to invest the said mayor, aldermen and citizens of Philadelphia with the power of legislating, estimating and raising of taxes so far as respects the lighting, watching, watering, pitching, paving and cleaning the streets of the city unrestrained by any of the said existing laws relative thereto.

[Section I.] (Section II, P. L.) Be it therefore 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 from and after the passing of this act the mayor, recorder, aldermen and common councilmen in common council assembled shall have full power taxes and of lighting, watching, watering, pitching, paving and cleaning the said streets, lanes, and alleys any law of the general assembly of Pennsylvania heretofore made to the contrary in anywise notwithstanding.

And whereas by acts of assembly existing at the time the said act to incorporate the city of Philadelphia was enacted the late wardens of the city with two justices of the peace were empowered to regulate and fix the rates and prices to be taken by wagoners, carters, draymen, porters and wood-sawyers:

And whereas it is reasonable that the prices and rates to be taken by chimney-sweepers should be regulated by mayor, aldermen and citizens of Philadelphia and that all the various powers and authorities which at the time of making the said

act to incorporate the city of Philadelphia were vested in the said wardens and street commissioners jointly or severally or which were vested in said wardens and street commissioners respectively in conjunction with one or more justice or justices of the peace for the city and county of Philadelphia should be vested in the said mayor, aldermen and citizens of Philadelphia:

Therefore:

[Section II.] (Section III, P. L.) Be it further enacted by the authority aforesaid, That from and after the enacting hereof the mayor, recorder, aldermen and common councilmen in common council assembled shall have full power and authority to make, ordain, constitute and establish such and so many laws, ordinances, regulations and constitutions as shall be necessary and convenient for the purposes of fixing, ascertaining and regulating from time to time the rates and prices which shall be demanded and received by wagoners, carters, draymen, porters, wood-sawyers and chimney-sweepers for each and every labor and service which they shall respectively do and perform within the said city of Philadelphia and also for the doing, performing and executing all and every [other] power, authority, act, matter and thing whatsoever which the said wardens and street commissioners separately of themselves or they or either of them in conjunction with one or more justice or justices of the peace or with any other person or persons whatsoever were authorized and empowered or might or could lawfully do or perform by or under any laws in force at the time the act to incorporate the city of Philadelphia was made.

[Section III.] And be it further enacted by the authority aforesaid, That so much of the thirty-fifth and thirty-sixth sections of the act to incorporate the city of Philadelphia as is by this act altered or supplied is hereby declared to be repealed. Provided nevertheless, That the consent and approbation of the mayor or recorder and of a majority of the aldermen and also of the common councilmen who shall from time to time be present and in common council assembled shall be necessary to the making, ordaining or establishing of all such rules, regulations, appointments, laws, ordinances and con-

stitutions as the said mayor, recorder, aldermen and common councilmen in common council assembled shall make, ordain and establish.

Passed April 2, 1790. Recorded L. B. No. 4, p. 100. See the Act of Assembly passed March 9, 1771, Chapter 6361.

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## CHAPTER MDX.

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AN ACT FOR ALTERING A CERTAIN CLAUSE IN THE CHARTER OF THE CORPORATION FOR THE RELIEF OF THE WIDOWS AND CHILDREN OF CLERGYMEN OF THE PROTESTANT EPISCOPAL CHURCH IN THE UNITED STATES OF AMERICA.

(Section I, P. L.) Whereas it hath been represented to this general assembly by the "Corporation for the relief of the widows and children of the clergymen of the Protestant Episcopal Church in the United States of America" that the good and charitable purposes for which the said corporation was instituted are in danger of being defeated by the disappointments the corporation experience in their endeavors to assemble the quorum required by their charter to make, repeal or alter fundamental laws, which has been often in vain attempted and a considerable majority of the said corporation having requested by their petition that the clause in their charter requiring a majority of all the members to make, repeal or alter any fundamental law may be so altered that a less number than a majority of the whole may be vested with the powers by the said charter given to such majority, and it appearing to this assembly that such alteration is not only agreeable to the members of the said corporation but is also proper and necessary for the preservation of their funds and to enable them to carry into effect the laudable purposes of their institution:

Therefore:

[Section I.] (Section II, 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 it shall and may be lawful for a majority of any twenty or more members of the said cor-