

ing on and completing the said turnpike road; and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits as are given and granted to "The president, managers and company of the Susquehanna and York borough turnpike road," by an act of Assembly passed the nineteenth day of March, one thousand eight hundred and four;⁽¹⁾ Provided, that if the company shall not proceed to carry on the said work within three years after the passing of this act, or shall not within seven years afterwards complete the said road according to the true intent and meaning of this act, then in either of these cases, all and singular the rights, liberties, privileges and franchises hereby granted to the said company shall revert to this commonwealth.

Approved April 7, 1807. Recorded in L. B. No. 11, p. 26.
Note (1) Chapter 2470; 17 Statutes at Large, p. 726.

CHAPTER MMDCCCXXXVIII.

AN ACT FOR EXTENDING THE WIDTH OF WHARF STREET, AND REGULATING THE WHARVES WITHIN THE DISTRICT OF SOUTHWARK.

Whereas from the increase of trade, in the district of Southwark, the street called Wharf street as laid out, under the act of assembly, to which this is a supplement, is too narrow, and the docks too short to accommodate the shipping in the winter season; and the wharves or piers erected on the plan heretofore adopted cause the docks to fill with mud for want of a regular current of water through them; and many of them are not sufficiently strong and durable: Therefore,

Section I. (Section I, P. L.) 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 street called Wharf street shall hereafter be fifty feet wide, to be widened on the

east side of the said street to that width, and when the intercourse through the said street shall require it, the commissioners of the district of Southwark, shall order and direct a foot pavement to be laid off, not less than twelve feet wide, with curbstone on the west side of the said street, under such regulations and restrictions as the foot pavements of other streets are regulated and paved in the district.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That all and every person or persons, intending hereafter to wharf any part of their estate beyond the west side of Wharf street, shall in the first instance extend no further than the east side of said street, the front of which shall be composed of good solid square timber, down to the bottom, and well secured.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That all pier heads, hereafter intended to be sunk in the river, beyond the east side of Wharf street, shall be of the width of not more than thirty feet from east and west, and shall be so sunk that the easternmost side of the said pier head, shall be at the distance of one hundred and twenty-five feet, from the east side of Wharf street, and no more; and the said pier shall be composed of good substantial square timber, down to the bottom, and well fitted and secured.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That a pier or wharf, may be placed and sunk at equal distance between the west side of the pier head aforesaid, and the east side of Wharf street, of not more than twenty feet in width east and west, and platformed to the pier head and Wharf street, or may be platformed on piles from the west side of the pier head, to the east side of Wharf street, without the middle pier, at the discretion of the owner.

Section V. (Section V, P. L.) And whereas, There are certain wharves in the said district, which are already extended in such a manner, as to prevent a strict compliance with the provisions of this act:

Be it therefore enacted, That the owner or owners, of any estates within the district aforesaid, on which such wharves have been already erected, shall be authorized to erect a pier, at the distance of one hundred and twenty-five feet, from the east side of Wharf street, in the manner and under the regulations hereinbefore prescribed; but no person erecting such pier, shall be at liberty to erect a middle pier, without the consent of the wardens of the port of Philadelphia in writing; and shall on a view of the premises, determine whether the said middle pier shall be erected, or that a platform shall be laid on piles, from the outer pier to the wharf already erected, as the one or other shall be most conformable to the meaning and intent of this act.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, it shall be the duty of every person, intending to erect a pier or wharf, in the river Delaware, in the district of Southwark, to exhibit a plan of the same to the wardens of the port of Philadelphia; and if the plan so exhibited is on examination, found to be conformable to the provisions of this act, the wardens shall in writing, signify their assent to the same; and if any person or persons shall hereafter erect or cause to be erected, or if any master workman or undertaker, shall be aiding or assisting in erecting or sinking any pier or wharf contrary to the provisions of this act, he, she or they on conviction thereof, shall forfeit and pay to the commissioners of the district of Southwark, for the use of paving the streets of the said district, the sum of four thousand dollars, to be by them recovered in any court of record in the county of Philadelphia: Provided always, that any thing contained in this section, shall not extend to any wharf or pier which shall be sunk west of Wharf street.⁽¹⁾

Approved April 7, 1807. Recorded in L. B. 11, p. 23.

Note ⁽¹⁾ See supplement amending and partially repealing the act in the text, Chapter 3069; *Infra* this volume, p. 1047.