

CHAPTER MDCCCXIII.

AN ACT FOR BUILDING A TOWN HOUSE AND MARKET PLACE BETWEEN COATES STREET AND POPLAR LANE, ON SECOND STREET CONTINUED IN THE NORTHERN LIBERTIES OF THE COUNTY OF PHILADELPHIA, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Whereas the proprietors and owners of the ground between Coates street and Poplar lane, to encourage the improvement of that part of the Northern Liberties, did leave open, for public use, a piece of ground, of the breadth of twenty feet, on each side of Second street continued, between Coates street and Poplar lane:

And whereas a number of the freeholders and other inhabitants of the county of Philadelphia, and of the Northern Liberties thereof, have, by their petition, represented to the legislature, that they labor under many difficulties, by reason of the remote distance they are from any market place, that a market established at the place contemplated by the petitioners, will be very convenient for the accommodation of the people residing near the same, as well as the citizens who inhabit that part of the Liberties called Kensington, which consists chiefly of shipbuilders and other useful mechanics, and having offered to build by subscription, without any charge to the public, and that after all the costs of the buildings and incidental expenses thereof are paid and satisfied, all the profits and income of the said market shall be appropriated to the benefit of a charity school, for the said township of the Northern Liberties, and praying that the legislature will pass a law for the purpose.

[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, from and after the passing of this act, that part of Second street continued, between Coates street and Poplar lane, in the Northern Liberties of the county of Philadelphia, together with the twenty feet on each side of the

said Second street, left open by the proprietors and owners of the ground between Coates street and Poplar lane, shall be and remain, and it is hereby declared to be and remain forever, a public market place, for buying and selling all sorts of provisions, victuals, and things of the country produce and manufacture, on every day of the week, Sundays excepted, and that all manner of persons shall have liberty to expose to sale their country produce, on such stalls or other stands as shall be assigned them by the clerk of the market, they paying a reasonable toll.

(Section II, P. L.) And in order that a town house and market place may be built, and the moneys necessary be raised and collected for that purpose:

[Section II.] Be it further enacted by the authority aforesaid, That William Coates, Esquire, Jacob Weaver, Esquire, Doctor John Weaver, Doctor Peter Peres, Jacob Whitman, William Peter Sprague, Daniel Miller, John Brown, Michael Groves and John Nicholas Wagner, shall be superintendents of the said buildings, and shall have power to take subscriptions and donations for the building of the said town house and market place, and for purchasing or making movable stalls, copper or brass standards of weights or measures, and other things necessary for the keeping a market; and in order that such subscription moneys may be actually paid, when wanted for the purposes aforesaid, each subscriber shall give a note under his hand and seal to the treasurer, payable on a certain day or days, or on demand, either in one entire payment, or by instalments, and such notes, if attested by credible witnesses, shall have the same force, and be to the same effect in law, as notes given or taken, for a valuable consideration, and the said superintendents shall appoint a treasurer, either of their own number or any other of the inhabitants of the Northern Liberties, for whom they shall be answerable to the rest of the subscribers, but may take such securities from him as to them shall seem meet; and the said treasurer shall, upon the receipt of any subscription money, give a certificate, attested by two of the superintendents, to the person who paid the same, expressing therein whether it be his donation or loan, and to the lenders, that the original sum lent,

and the interest thereof, at the rate of six per centum per annum from the time of actual payment, is to be paid out of the actual profits and income of the said market, at every distribution of the said income to be made annually among the said lenders, which certificates shall be assignable, in like manner as bonds and promissory notes are made assignable by law.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall be lawful to and for the said William Coates, Esquire, Jacob Weaver, Esquire, Doctor John Weaver, Doctor Peter Peres, Jacob Whitman, William Peter Sprague, Daniel Miller, John Brown, Michael Groves and John Nicholas Wagner, or a majority of them, out of the moneys subscribed and paid, to build, on Second street continued from the city of Philadelphia in the Northern Liberties, between Coates street and Poplar lane, a town house and market place, to accommodate the public business of the said township, and for the ease and convenience of the inhabitants thereof, commencing the building of the same at the distance of forty feet, northwardly from the north side of Coates street, in the middle of Second street, the town house to be of the breadth of twenty-four feet in front, and thirty feet in depth along Second street; commencing the building of the market at the north side of and adjoining to the said town house, thence extending northwardly, in the middle of Second street, to within forty feet of Brown street, of the breadth of eighteen feet, with leaving a passage at least forty feet wide on each side of the said market, between the lane and the houses and lots on the eastern and western sides of the said Second street, or oblong square, and purchase and keep movable stalls or stands, to be used on market days, when the fixed stalls shall not be sufficient to contain all that is brought to the said market; that it shall be lawful for the freeholders and inhabitants of the Northern Liberties of the county of Philadelphia, subscribers to the sum of three pounds at least annually, until all the moneys borrowed on certificate shall be fully paid, at the time and place of choosing supervisors of the highways, then and there to choose, by ballot, three superintendents of the town house and market aforesaid, and also one clerk of the said market, who shall make assay of weights and meas-

ures in the said market, and do and perform all things belonging to the office of clerk of the market aforesaid.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if the said market shall be ready to be opened before the first day of May, one thousand seven hundred and ninety-seven, then Henry Faunce shall be clerk of the market until that day, and the said William Coates, Esquire, Jacob Weaver, Esquire, Doctor John Weaver, Doctor Peter Peres, Jacob Whitman, William Peter Sprague, Daniel Miller, John Brown, Michael Groves and John Nicholas Wagner, shall continue in the office of superintendents until the third Saturday in the month of January, of the year one thousand eight hundred, unless one or more of them should in the meantime die, resign or remove from the township, who shall be replaced on the township's election day for supervisors next after such death, resignation or removal, by the subscribers aforesaid, and whenever the said market house shall be built, and all the lenders of money on certificates shall be fully paid and satisfied, then and thenceforth no more than two superintendents, a clerk of the market, and one treasurer, shall be annually elected as aforesaid, which said superintendents, clerk of the market and treasurer shall be chosen by such of the freemen of the township of the Northern Liberties as are qualified to elect members of the general assembly.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the compensation of the clerk of the said market shall be fixed by the superintendents, to be appointed as aforesaid, until the same shall be regulated by an act of assembly, and that the said superintendent shall annually, on the same day when the supervisors of the highways render their accounts to the justices of the district for the county of Philadelphia, exhibit to the said justices a fair and true account of all the donations and loans received, and of the costs and expenses of the buildings and incidental charges, and of the income of the said market, and how much of the said moneys lent on certificates hath been paid to the lenders, which account shall be filed in the office of the clerk of the session, and be free to the inspection of all persons whom it may concern; and that,

from and after the liquidation of all sums of money, principal and interest, lent on certificate, the clear income and profits of the said market shall be employed for a charity school for the township of the Northern Liberties.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the electors of the township aforesaid to hold their general elections at the said town house, as soon as the buildings shall be completely finished, agreeably to the true intent and meaning of this act, anything in any law to the contrary notwithstanding.

Passed March 27, 1795. Recorded L. B. No. 5, p. 404.

CHAPTER MDCCCXIV.

A SUPPLEMENT TO THE ACT ENTITLED, "AN ACT TO INCORPORATE THE DISTRICT OF SOUTHWARK."¹

[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 all fines, penalties and forfeitures arising from the breach of ordinance or regulation passed, or which may be passed by the board of commissioners for the district of Southwark, respecting any offense for which the party might not have been proceeded against by indictment before the passing of the act, entitled "An act to incorporate the district of Southwark" may be recovered before any justice of the peace in the county of Philadelphia. Provided, the fine, penalty or forfeiture do not exceed the sum of fourteen dollars.

[Section II.] Provided always, That if any person shall conceive him, her or themselves aggrieved by any judgment to be given as aforesaid, it shall and may be lawful for such person or persons, at any time within the space of six days next following the date of such judgment, to appeal therefrom to