

CHAPTER MDCCCXLI.

AN ACT TO AUTHORIZE THE INHABITANTS OF THE NORTHERN LIBERTIES, WITHIN CERTAIN DESCRIBED PART THEREOF, TO REGULATE THE STREETS, LANES AND ALLEYS WITHIN THE SAME, AND FOR OTHER PURPOSES THEREIN MENTIONED.

[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 governor be, and he is hereby, authorized to appoint three surveyors, who shall have full power and authority, and are hereby enjoined and required, as soon as conveniently may be, to survey, regulate and direct the courses and degrees of descent, and the distances from the sides of the streets, lanes, alleys and roads, of all and every the gutters, natural watercourses and common sewers, and to fix and ascertain the same, and to survey and regulate all and every the streets, lanes, alleys and roads already laid out within the following bounds of the township of the Northern Liberties, to wit: beginning at the northern bounds of the city of Philadelphia on the river Delaware; thence up the same river, the several courses thereon, to Shackamaxon creek, commonly called Gunner's run; thence up the west side of the same creek to the fourth line of the lands of the estate of Isaac Norris, deceased; thence by the same tract of land, the several courses thereof, to the road leading from Philadelphia to Frankford; thence down the same road, to a stake; thence west to the mustard mill, on Germantown road, belonging to the estate of William Masters, deceased; thence, continuing the same course, to the old York road; thence on the west side of the said road, the several courses thereof, to Hickory lane; thence westerly up the said lane to the head thereof thence, continuing the same course, to the Wissahickon road; thence down the same road, the several courses thereof, to the northern bounds of the said city; thence by the same city

to the river Delaware, the place of beginning; and the said surveyors aforesaid, having surveyed the said streets, lanes, alleys and roads, lying south of Cohocksink creek, within the boundaries aforesaid, and regulated and directed the courses, and ascertained the degrees of descent of all and every the watercourses within the same, shall make, or cause to be made, correct draughts or plans of all the said streets, lanes, alleys and roads, and of the courses, and degrees of descent of the said watercourses, together with every necessary explanation, and return the same, under their hands, to the three justices of the peace within that part of the Northern Liberties aforesaid, who are hereby enjoined and required to keep and preserve the same in their respective offices, for the public inspection and examination of all persons concerned, for the space of three months, after which, the said justices, together with six resident freeholders by them to be appointed, shall give public notice, in two of the public newspapers in the city of Philadelphia, one whereof shall be in the German Language, at least six different times within two succeeding weeks, that on a day certain and particularly expressed in such public notice, they will examine the said draughts or survey, and hear the objections of any landholders, or other persons, who may think themselves aggrieved; and the said justices and freeholders, appointed as aforesaid, shall have full power and authority to adjudge and determine whether the same shall be fully and finally established, or whether any and what alterations shall be made therein, and shall direct the same draughts or plans, together with such alterations as shall be made therein, their adjudication thereupon, and every necessary explanation, to be recorded in the office of the clerk of the court of quarter sessions of the county of Philadelphia.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That a separate survey or regulation of that part of the district of the Northern Liberties which lies on the north side of Cohocksink creek, within the first described bounds, shall be made by the same surveyors, in all things conducted in the same manner, and under the same regulations, as the survey or regulation of that part of the Northern Liberties

which lies on the south side, except that the freeholders to be appointed by the said justices, shall reside on the north side of the aforesaid creek.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the justices of the peace in the township of the Northern Liberties aforesaid, shall be authorized to draw orders on the supervisor or supervisors of the roads for the said township, for the pay and incidental expenses of the said surveyors, who are hereby enjoined and required to pay the amount of such orders and the same shall be allowed to the said supervisors in the settlement of their accounts.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for any three justices resident in the Northern Liberties, on the application of any five resident freeholders, to issue their precept to any suitable person or persons, authorizing him or them to cause the footways and gutters of such street, lane or alley, so applied for, to be paved with bricks or stones, as the case may require, and to plant posts or curb stones, to prevent the same from being injured by carriages, agreeably to the regulations of the surveyors aforesaid. Provided always, That the greater part of the space required to be paved shall be built upon and improved. And provided also, That all and every owner or owners shall have the privilege of paving their own fronts as aforesaid, so that they have it completed within one month after notice given for that purpose, by the person or persons appointed to pave as aforesaid, by writing under his or their hands. And provided further, That no person shall be obliged to pave any foot way to a greater breadth than four feet in front of any lot, whereon a dwelling house shall not be erected.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the person, or persons so appointed shall, previous to his or their entering on the duties required by this act, make an estimate of the expense, and apply, by written notice to the several owners of lots and buildings within the space required to be paved, for their respective proportions, and in case any owner or owners shall neglect or refuse to pay such amount within four weeks after notice as afore-

said, it shall and may be lawful for the person or persons appointed as aforesaid, to borrow the same, and the neglecting owner or owners shall be accountable to him or them for the amount so borrowed, with legal interest thereon.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That in case any grounds or buildings belong to minors or absent persons, then the same shall be recovered against any person or persons having the care of such grounds or buildings belonging to such minor or absent owner, and the receipts of the person appointed to pave as aforesaid shall be good vouchers to all executors, administrators, guardians, trustees or attorneys against their principals; and where any owner or owners of any grounds or buildings, attorneys, executors, administrators, trustees or guardians cannot be found, or in case any of them neglect to pave their own fronts, or to pay the portion respectively allotted to them, then it shall and may be lawful for any justice of the peace, resident in the Northern Liberties, to issue executions for the same, to be levied on the grounds or buildings of such absent owner, executors, administrators, guardians or attorneys; and the person so appointed by the justices as aforesaid is hereby authorized to rent the same, for the shortest space of time in which the rent and profits will satisfy the debts and costs.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That in case any owners of lots or buildings, or the persons having the care of any lots or buildings, as executors or administrators, guardians, trustees or attorneys, shall be in arrear on a final settlement of the accounts, and neglect or refuse to pay the same, it shall and may be lawful for the said person appointed by the justices as aforesaid, to recover the same, with costs, by action of debt, as debts of the same amount are by law recoverable.