

No. 40.

A N A C T

Relating to Big Equinunk creek, in the county of Wayne.

SECTION 1. *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 passage of this act, the Big Equinunk creek, in the county of Wayne, from Alexander Lauthin's mill to the mouth of said creek, where it empties into the Delaware river, be and is hereby declared a public highway, for the passing of logs, lumber and rafts; and it shall be lawful for the inhabitants and others desirous of using the navigation of said creek, to remove all natural or artificial obstructions from the same: *Provided,* That no mill dam erected, or hereafter to be erected, shall be disturbed or injured, if the owner or occupier of said dam shall, during high water, leave free and unobstructed twenty-five feet of the surface of said stream and upper ridge of the dam, for the free and easy floating of such logs, lumber and rafts through and over such mill dam or dams. Proviso.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The thirteenth day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 41.

A N A C T

To apportion the district of Kensington, and to regulate the board of commissioners.

SECTION 1. *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 incorporated district of Kensington, in the county of Philadelphia, shall be and hereby is divided into seven wards, in the manner following, to wit:

All that portion of the said district bounded as follows, shall constitute one ward, to be called the First ward, commencing on the river Delaware, at the boundary line between the incorporated districts of Kensington and the Northern Liberties; thence northward along the First ward.

line of the river to Shackamaxon street; thence up the centre of said street to the centre of Franklin avenue; thence along the centre of said avenue to the centre of Front street; thence along the centre of said street to the centre of Cohocksink creek; thence along the centre of said creek to the place of beginning.

Second ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Second ward, commencing at the centre of Front street on the line which divides the district of Kensington from the Northern Liberties; thence north-westwardly along the said line to the centre of Franklin avenue; thence eastward along the centre of said avenue to the centre of Front street; thence along the centre of said street to the place of beginning.

Third ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Third ward, commencing at the centre of Franklin avenue on the line dividing the districts of Kensington and the Northern Liberties; thence north-westwardly along the said line to the centre of Sixth street; thence north along the centre of said street to the centre of Oxford street; thence east along the centre of Oxford street to the centre of Second street; thence south along the centre of Second street to the centre of Franklin avenue; thence west along the centre of said avenue to the place of beginning.

Fourth ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Fourth ward, commencing at the centre of Shackamaxon street on the river Delaware; thence north-eastwardly along the line of the river to the centre of Hanover street; thence along the centre of said street to the centre of West street; thence west along the centre of said street to the centre of Frankford road; thence along the centre of said road to the centre of Shackamaxon street; thence along the centre of said street to the place of beginning.

Fifth ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Fifth ward, commencing at the centre of Hanover street on the river Delaware; thence along the line of the river to the line which divides the district of Kensington from the unincorporated Northern Liberties; thence north-westward along said line to the centre of Frankford road; thence southwardly along the centre of said road to the centre of Hanover street; thence along the centre of said street to the place of beginning.

Sixth ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Sixth ward, commencing at the centre of Franklin avenue and the centre of Shackamaxon street; thence west along the centre of said avenue to the centre of Second street; thence north along the centre of said street to the centre of Oxford street; thence east along the centre of Oxford street to the centre of Frankford road; thence north along the centre of said road to the centre of Hanover street; thence along the centre of said street to the centre of West street; thence along the centre of West street to the centre of Frankford road; thence southwardly along the centre of said road to the centre of Shackamaxon street; thence along the centre of said street to the place of beginning.

Seventh ward.

And all that portion of the said district bounded as follows, shall constitute one ward, to be called the Seventh ward, commencing at the centre of Frankford road and the centre of Oxford street; thence north along the centre of said road to the northern boundary line of the district; thence westward along said line to its termination; thence south along the western boundary line of the district to the centre of Sixth street; thence along the centre of said street to the centre of Oxford

street; thence along the centre of Oxford street to the place of beginning.

SECTION 2. The elections in the several wards of the district of Kensington, for judges and inspectors, alderman, assessors and constables, shall be held at the following named places: Election for officers, when held.

In the First ward, at the house now occupied by David Quinton, corner of Frankford road and Manderson streets. First ward.

In the Second ward, at the George Fox temperance hall, at the junction of Germantown road and Second street. Second ward.

In the Third ward, at the house now occupied by John Carroll, corner of Cadwallader and Master streets. Third ward.

In the Fourth ward, at the house now occupied by John Brewer, corner of Marlborough and Bedford streets. Fourth ward.

In the Fifth ward, at the house now occupied by Philip Miller, corner of Frankford road and Hanover street. Fifth ward.

In the Sixth ward, at the house now occupied by John Hahn, Frankford road, opposite West street. Sixth ward.

In the Seventh ward, at the house now occupied by George Cotman, corner of Second and Montgomery streets: *Provided*, That nothing herein contained, shall be so construed as to prevent the elections of the wards from changing the place of holding their ward elections, in the manner provided by the election laws of this commonwealth. Seventh ward. Proviso.

SECTION 3. The qualified electors of the several wards of the district of Kensington, shall, on the third Friday in March next, and annually thereafter, elect the same number of judges and inspectors of elections, assessors and constables, as the several wards of the city and county of Philadelphia are now entitled to by law: *Provided*, That the constables now in office in said district, shall continue to hold said office until their successors are duly elected and qualified. Proviso.

SECTION 4. The qualified electors of the Sixth and Seventh wards of the district last aforesaid, on the third Friday in March, Anno Domini eighteen hundred and forty-six, shall elect one alderman for each of said wards, who shall be a resident respectively thereof. Sixth and Seventh wards elect aldermen.

SECTION 5. That the officers whose duty it shall be to conduct the election at the two additional ward polls, created by this act, to wit: In the Sixth ward, at the house of John Hahn; and in the Seventh ward, at the house of George Cotman, shall be appointed as follows: The judges chosen by the electors of the Third ward, shall appoint a judge to conduct the election in the Seventh ward, and each of the inspectors of the said Third ward, shall appoint an inspector for the Seventh ward; and in the same mode, the judge and inspectors chosen by the electors of the Fourth ward, shall appoint one judge and two inspectors for the Sixth ward; the inspectors thus appointed, shall each appoint one clerk; all the judges and inspectors elected at the time of the passage of this act, to conduct the elections in the several wards, shall serve as election officers for the term for which they were elected. Election officers in Sixth and Seventh wards, how appointed.

SECTION 6. It shall be the duty of the commissioners of the county of Philadelphia, to furnish to the additional judges and inspectors to be appointed under this act, ballot boxes, blanks, forms and lists of taxables, the same as are now furnished to judges and inspectors of elections within the said district of Kensington, and to pay the said additional judges, and inspectors and clerks, the same compensation as to other election officers. Duties of county commissioners.

SECTION 7. That the qualified electors of the district of Kensington, shall, at the general election on the second Tuesday of October next, elect eleven persons to serve as commissioners of said district; of the eleven thus chosen, seven shall serve three years; two shall serve two

Proviso.

years, and two shall serve one year; and annually thereafter, an election shall be held for seven commissioners to supply the seats of those whose term of office may be about to expire, and the commissioners thus elected, shall hold their seats for the term of three years: *Provided*, That in case of any vacancy in the board of commissioners thereof, the electors of said district shall have power to supply such vacancy at the next general election, so that the board shall hereafter consist of twenty-one members: *And provided further*, That no commissioner of said district shall serve as guardian of the poor or member of the board of health.

Proviso.

Duties of commissioners.

SECTION 8. The commissioners shall provide accommodations for the voters of the several wards of the district, by causing temporary windows to be placed in the east and west doors of the commissioners' hall, and the voters of the Sixth ward, shall vote at the door on the east front of the hall; and the voters of the Seventh ward, shall vote at the door on the west front of the hall; the voters of the other wards of the district shall vote at the windows heretofore annually used by them on the day of the general election.

Duties of judges of election.

SECTION 9. The judges of the several wards of the district of Kensington, shall meet on the Thursday next succeeding the day of election, at two o'clock P. M., at the commissioners' hall, and they shall then and there make out duplicate returns of all the votes given for commissioners of said district, and the names of the persons elected; one of said returns shall be deposited in the office of the prothonotary of the court of common pleas for the county of Philadelphia, and the other shall be delivered to the clerk of the board of commissioners of said district, within forty-eight hours from the time of meeting of said judges; it shall also be the duty of the judges aforesaid, to make out and deliver to each of the persons elected to serve as commissioner, a certificate of his election, within two days from the period before specified for making out the returns.

Power, &c. of commissioners.

SECTION 10. That the board of commissioners of the Kensington district, shall have power and jurisdiction in all cases in which the election of any member or members of said board may be contested, in like manner and to the same extent as is now provided for in the several acts incorporating the district of the Northern Liberties, in the county of Philadelphia.

Repeal.

SECTION 11. All laws and parts of laws inconsistent with the provisions of this act, are hereby repealed.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The eighteenth day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.