

No. 210.

AN ACT

To provide for the repairs of the meadow banks upon the Delaware front, in the county of Philadelphia, above the city of Philadelphia, and extending the limits of Richmond district.

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 it shall be the duty of the commissioners of the district of Richmond, within the present or any future limits of said district, or of the supervisor or supervisors of roads in such portion or portions of said county, containing such banks as shall be unincorporated, or in case any portion now unincorporated, shall hereafter be incorporated, then of the commissioners of such portions of said county as shall be hereafter incorporated, or of any person or officer duly authorized by them, or any of them, for such purposes, upon complaint made to him or them, by any person or persons owning property fronting upon such river, or liable to be damaged by the overflow of the same, that said banks, or any part thereof, are out of repair, or in a ruinous, unsafe and insecure condition, to give notice forthwith, to the owner or owners of such part or portion, to repair the same within forty-eight hours after such notice; which said notice shall be given to the owner, or reputed owner thereof, or if such owner is unknown, or cannot be found, then by posting the same on a conspicuous part of such bank so out of repair and insecure; and in case such owner or owners shall neglect or refuse to cause such repairs to be made, within the time aforesaid, or the same shall be defectively or insecurely done, it shall be the duty of such supervisor or supervisors, or commissioners, to cause the said banks to be well and thoroughly repaired, and rendered safe and secure; for which purpose they shall have full right and authority to enter into and upon such banks, and the premises thereto adjacent, and after said repairs are so done, they shall enter the same as a lien against the said premises, and the owners or reputed owners thereof, which said lien shall have the priority over all other liens, charges, taxes and incumbrances whatever: *Provided always,* That such lien shall be filed within six months after the date of such repairs, in the name of such supervisor or supervisors, or in the corporate name of such district or township, as the case may be; and the same shall be recovered by an action of scire facias, in manner and form as district liens in said county are now recoverable: *And provided further,* That upon the trial of such action, the said defendant shall only be permitted to aver and prove in defence, that the said lien, in whole or in part, has been paid since the same was filed, and that all matters necessary for a recovery, on the part of the plaintiffs, shall be considered as proved by the production of the lien and scire facias thereon, at the time of trial.

SECTION 2. In case there should be no supervisor or supervisors, or commissioners, in office in any part of said county containing such banks, the duties required by this act shall be performed by the town clerk, or in default thereof, by any justice of the peace of any township containing such banks requiring repairs, or of any township adjacent

Authorities of Richmond district give notice of the insecure condition of banks.

Repairs to be made.

Lien.

Proviso.

Proviso.

In default of proper officers, the duty imposed on other officers.

thereto; and in case said duties shall be performed by such town clerk, or justice of the peace, the lien shall be entered in the name of such town clerk or justice.

SECTION 3. That so much of the township of the unincorporated Northern Liberties, as is contained within the boundaries, beginning at the river Delaware, and the northwardly side of Westmoreland street; thence along the said river to the northwardly side of Tioga street; (as the said Westmoreland and Tioga streets have been laid out in the survey of the second and third sections of the township of Northern Liberties, and duly confirmed by the court of quarter sessions of the county of Philadelphia;) thence along the northwardly side of the said Tioga street, to the eastwardly side of the Point road; thence along the same, to the northwardly side of the said Westmoreland street; thence along the said Westmoreland street, to the place of beginning, shall be added to and become included in the corporation of the "commissioners and inhabitants of Richmond, in the county of Philadelphia;" and from henceforth shall be entitled to all the privileges and immunities contained in the said act of incorporation, and of any supplement thereto.

Boundaries of
Richmond dis-
trict extended.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 211.

AN ACT

To prevent fishing with seines and nets in the French Creek feeder of the Pennsylvania canal.

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, it shall not be lawful for any person or persons to fish in the French Creek feeder of the Pennsylvania canal, with seines or nets, by whatever name the same may be called, or in any other way that will prevent the fish from running or passing, or re-passing, up and down the said French Creek feeder, and from passing and re-passing from the said feeder into and out of the Conneaut reservoir.

Fishing prevent-
ed in French
Creek feeder.

SECTION 2. Any person or persons offending against this act, shall be subject to a fine not exceeding five dollars for the first offence, and ten dollars for every succeeding offence, to be recoverable before any justice of the peace, as debts of like amount are now by law recoverable, with costs of suit; one half of said fine shall be paid to the informer,

Penalty.