

No. 138.

AN ACT

To incorporate the district of Richmond, in the county of Philadelphia.

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 inhabitants of that part of the township of the unincorporated Northern Liberties, in the county of Philadelphia, beginning at the river Delaware, and the northern boundary of the Kensington district; thence along the said river to the northwardly side of Westmoreland street. (as laid down on the survey of second and third sections of the township of the Northern Liberties, agreeably to an act of assembly of this commonwealth, passed May third, one thousand eight hundred and thirty-two, and confirmed by the court of quarter sessions of the county of Philadelphia, on the first of July, one thousand eight hundred and forty-three, and thirtieth of November, one thousand eight hundred and forty-four, respectively;) thence along the same to the westwardly side of Emerald street. (as laid down on the second section of the said survey;) thence along the same to the southwardly side of the Hart lane, as now laid out and opened; thence along the same to the westwardly side of the Frankford turnpike road, as now laid out and opened; thence along the same to the northern boundary of the Kensington district aforesaid; and thence along the same to the river Delaware and place of beginning, be and they and their successors forever are hereby constituted a body politic, in fact and in law, by the name and title of the “commissioners and inhabitants of Richmond, in the county of Philadelphia;” and by the same name shall have perpetual succession, and they and their successors shall at all times forever be able and capable in law, to purchase, have, hold, take, receive, possess and enjoy lands, tenements, hereditaments, liberties, franchises, jurisdictions, goods, chattels and effects, and the same to grant, bargain, sell, alien, convey or demise at their pleasure; and by the name aforesaid are and forever shall be able and capable in law, to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended in all courts of record and elsewhere, in all manner of actions, suits, complaints, pleas, causes and matters whatever, and to do and execute all and singular other matters and things that to them, as a body politic and corporate, in law and in fact, shall and may appertain; and to have and use one common seal, and the same to alter and make anew at their pleasure; and the powers of the said corporation shall be vested in and conducted by Philip Duffy, Michael Barron, Isaac Tustin, Richard R. Spain, Joseph Ashton, John W. Kester, Henry Mather, George Funk and Enoch Blackman, who are hereby constituted a board of commissioners to act until commissioners shall be elected, as hereinafter directed, and who shall have full power and authority to appoint one or more surveyor and regulator, or surveyors or regulators.

Boundaries.

Name.

Privileges.

Seal.

Commissioners appointed.

SECTION 2. That the inhabitants living within the said district, who are or shall be qualified, agreeably to the constitution and laws of this commonwealth, to vote for members to serve in the general assembly, shall meet together at the Railroad hotel, now occupied by Elisha

Time of election for commissioners. M'Carty, between the hours of eight in the morning and ten in the evening, on the second Tuesday in October next, and then and there choose by ballot, out of such of the qualified voters residing within the said district, in the manner prescribed for choosing members in the house of representatives of this commonwealth, nine suitable persons to serve as commissioners in and for the said district, three for one year, three for two years, and three for three years, and every year thereafter they shall elect three commissioners to serve for three years; and said commissioners, who shall be elected on the second Tuesday in October next, as aforesaid, shall meet together at the said Railroad hotel, between the hours of eight and eleven in the forenoon, on the first Thursday after said election, and after being qualified, as hereinafter directed, shall organize by electing a president, clerk, treasurer and solicitor, and make such rules and regulations as may be necessary for their government; and shall fix upon some place for their future meetings, which place, and rules and regulations, may be altered by the said commissioners, from time to time, as they shall deem necessary; and on the first Thursday after every succeeding election, the commissioners elected at the time, shall, together with those whose period of service shall not have expired, meet at the place appointed for holding such meeting, and shall, after the said commissioners elect be qualified, as hereinafter directed, proceed to the business of the said corporation.

Annual elections, how to be conducted. SECTION 3. That all elections to be held in pursuance of this act, on the second Tuesday in October next, and annually thereafter, shall be conducted by one judge and two inspectors, to be chosen as judges and inspectors are now chosen in other incorporated districts of the county of Philadelphia; and the judge and inspectors so chosen, shall take an oath or affirmation before some judge or justice of the peace of the said county, before entering on the duties in and by this act enjoined, well and faithfully to discharge the same, according to the best of his or their skill or ability; and all elections to be held after the second Tuesday in October next, shall be held at such place as the said commissioners shall appoint within the said district, of which elections the said commissioners shall give at least ten days' previous notice, by handbills, posted up in at least twenty of the most public places within the said district.

Id. SECTION 4. That all elections to be held in pursuance of this act, shall be held and conducted in like manner as by the laws of this commonwealth is, or shall be directed for holding the general election for persons to serve in the house of representatives, under and subject to the same rules and penalties; and when each election shall be closed, the judge and inspectors of the same, or a majority of them, shall, under their respective hands and seals, certify to the board of commissioners the names of the commissioners elect, with the number of votes in favor of each, and shall, within two days after such election, give notice in writing to each of the commissioners elect of their respective elections.

Oaths of office. SECTION 5. That each commissioner elected and returned as aforesaid, shall, before he enters on the duties of his said office, take an oath or affirmation before some judge or justice of the peace of the county of Philadelphia, well and faithfully to execute the office of a commissioner of the said district, and shall, thereupon, without any further or other commission, enter upon the duties thereof.

Vacancies, how supplied. SECTION 6. That in case of any vacancy or vacancies occurring by death, resignation or otherwise, the remaining commissioners, being a quorum of the whole number, shall have power to fill the vacancy or

vacancies occurring, and the person or persons so chosen shall serve until the next general election.

SECTION 7. That a majority of the whole number of the said commissioners shall be a quorum for transacting all business, except for the purchase and sale of real estate, or for borrowing money, for which purpose the concurrence of two thirds of the whole number of commissioners shall be essential; and the said commissioners shall not receive any compensation for their services, and at all their meetings the door of their place of meeting shall be open for the admission of any peaceable and orderly citizen. Quorum.

SECTION 8. That the commissioners shall have full power and authority to make, ordain and establish such laws, ordinances and regulations, not inconsistent with the constitution and laws of this commonwealth, and to appoint such officers, under such restrictions as they shall deem necessary, for the good order and government of the said district, and the same to alter and annul at their pleasure. By-law.

SECTION 9. That the court of quarter sessions of the county of Philadelphia, shall have and they are hereby vested with full power and authority to inquire of, hear, try and determine all offences which shall be committed within the said district, contrary to this act, or against any of the laws, ordinances or regulations that shall be made, ordained and established, in pursuance of this act, and punish the offender or offenders, as by the said laws, ordinances or regulations shall be prescribed or directed, except where the fines, penalties or forfeitures shall not exceed the sum of one hundred dollars, which shall be recoverable before any justice of the peace of the said county: *Provided always*, That if any person or persons shall think him, her or themselves aggrieved by any judgment given by any justice, as aforesaid, it shall and may be lawful for such person or persons, at any time within twenty days next following the date of such judgment, to appeal therefrom to the next court of quarter sessions of the said county, he or she or they first entering into recognizance, with at least one sufficient surety, in double the amount of such judgment, to prosecute the said appeal with effect, and to abide the order of the court. Power of court to try officers.

SECTION 10. That no law, ordinance or regulation of the said commissioners shall go into operation until the same shall be published in one or more of the public newspapers in the city and county of Philadelphia, and in handbills posted up in not less than twenty of the most public places in the said district. Ordinances to be published.

SECTION 11. That the said commissioners shall have full power and authority to limit the depth and distance, from the line of the adjoining neighbor's ground, of all vaults or sinks hereafter to be dug, within the said district, for privies or wells; and if any person or persons shall dig, or cause to be dug, any such vaults or sinks for a well or privy, of any greater depth or nearer the adjoining neighbor's line, than shall be limited, as aforesaid, every such person so offending, and being thereof convicted, shall forfeit and pay the sum of one hundred dollars, to be recovered in the same manner as debts of the same amount are now or hereafter may be recoverable, to be appropriated toward defraying the contingent expenses of the said corporation; and the said vault or sink shall be filled up at the expense of the owner or owners thereof. Power of commissioners as to vaults and sinks.

SECTION 12. That the said commissioners be and they are hereby authorized and enjoined to appoint one or more skilful person or persons as surveyors or regulators of the said district; and the said surveyor or regulator, or surveyors or regulators, or any one of them, shall have full power and authority, with or without his or their assistant or assistants, to enter upon the land of any person or persons, for the purpose To appoint surveyors or regulators. General powers of regulators.

of regulating and marking the lines or boundaries of any lot or lots of ground required to be regulated; and if any person or persons shall erect any building or buildings, adjoining to or upon any street, road, lane, court or alley, or on the line of his, her or their neighbor's ground, without first applying to and having the line or lines, or boundaries thereof, regulated and marked, as aforesaid; or if, after having the lines or boundaries regulated and marked, as aforesaid, shall deviate therefrom by extending his, her or their building or buildings beyond any or either of the lines or boundaries marked, as aforesaid, unless determined otherwise on an appeal, the owner and master builder shall each forfeit and pay the sum of fifty dollars, to be recovered in the same manner as debts of the same amount are now or may be hereafter recoverable; one-half thereof to be appropriated to the use of the said commissioners, for the purpose of defraying the contingent expenses of the said corporation, and the other half to the use of the person or persons suing for the same: *Provided always*, That the same shall not be recoverable, unless prosecuted within six calendar months after the offence be committed; and if any person or persons shall enclose or fence in any lot or lots of ground, without first having the lines or boundaries thereof regulated and marked, as aforesaid; or if, after having the lines or boundaries regulated and marked, as aforesaid, shall deviate therefrom, so as to enclose part of his or her neighbor's ground, unless so determined on an appeal, every such person, as well the owner as the person or persons making such offence, shall be compelled forthwith to remove the same, and shall forfeit and pay the sum of twenty dollars, to be recovered and appropriated in the manner hereinbefore directed, in respect to buildings; and that the said surveyor or regulator, or surveyors or regulators, or some one or more of them, shall enter in a book, to be prepared by and kept at such place as the said commissioners shall provide and direct, all regulations, orders and awards by him or them made in pursuance of this act; and all such regulations, orders or awards, if made with reasonable notice to the parties interested, shall be conclusive, unless the same be set aside on an appeal; and that all appeals hereafter to be made, from the regulation, order or award of the said surveyor or regulator, or surveyors or regulators, or any one or more of them, as aforesaid, shall be made and lie to the next court of common pleas to be holden for the county of Philadelphia, within twenty days from and next after the time of making such regulation, order or award appealed from; and upon security being entered by the party appealing, for the payment of all costs, in case he, she or they shall not prevail in his, her or their appeal, the said court shall try the matter in dispute by jury, according to law: *Provided*, That no person or persons under age, non compos mentis, feme covert, imprisoned or out of the United States, shall be affected by any regulation, award or order, as aforesaid, until the expiration of twelve months' notice thereof, in writing, after coming to full age, sound mind, discoveriture, being at large or returning to the United States, within which period his, her or their appeal may be entered and prosecuted, as aforesaid.

Party walls.

SECTION 13. That it shall not be lawful hereafter, to erect any party wall, between party and party, within the said district, of a less width than nine inches for brick and sixteen inches for stone work; nor shall such party wall, in any case, be placed or extended more than four and an-half inches thick and eight inches for stone work, beyond any party line, upon the ground adjoining that on which any building may be erected; and the first builder shall be reimbursed one moiety of the value of such party wall, or so much thereof as the next builder shall have occasion to make use of, before the next builder shall use or break

into said wall or walls; the value thereof to be fixed by any one or more of the said regulators, or by arbitrators mutually chosen.

SECTION 14. That no length of possession shall be sufficient to confirm any holder or holders of property, in the right to the ground heretofore built on, beyond the line of any public street, road, lane or alley; and if any person or persons shall hereafter lay or begin to lay the foundation of any party wall or walls, adjoining to or upon the line of any street, road, lane or alley, or shall erect any building within the said incorporated district, without first applying to the said surveyor or regulator, or surveyors or regulators, and having the lines and boundaries of said lot or piece of ground, whereon the said foundation is or ought to be laid out, or building erected, surveyed or marked out; or if, after having the lines and boundaries surveyed and marked out, as aforesaid, shall neglect or refuse to build agreeably thereto, and shall extend such foundation or building a greater distance beyond the same than is allowed by law, in either case, unless determined otherwise on an appeal, every such person or persons, as well the owner of the ground as the master builder or builders, shall forfeit and pay the sum of forty dollars, to be recovered as debts not exceeding one hundred dollars now are or may hereafter be by law recoverable; one-half thereof to be appropriated to the use of the board of commissioners, for the purpose of defraying the contingent expenses of the corporation, and the other half to the overseers of the poor, with costs; and every such building or wall so extended beyond the line of any street, road, lane or alley, shall be removed at the expense of the owner or owners thereof: *Provided*, The prosecution be commenced within one year from the time the offence shall have been committed. To apply to regulators before erecting a building.

SECTION 15. That the said commissioners be and they hereby are authorized and enjoined to appoint a treasurer of the said corporation, who shall not at the same time be a commissioner, and who, before he enters on the duties of his office, shall give bond with two sufficient sureties to the said commissioners, in such penalty as they may deem sufficient, conditioned that he will well and faithfully execute his office under the direction of the said commissioners; that he will not apply the money of the corporation to his own private purposes, and that he will once in every year, or oftener if required, render and settle his accounts with the said commissioners; and that upon his death, or the appointment of another treasurer in his place, which the said commissioners are hereby authorized to do whenever they see cause, he or his executors or administrators shall settle and adjust all his accounts with the said commissioners, and pay the remaining balance in his hands to his successor in office, charging for his trouble such commissions only as shall have been fixed by the said commissioners at the time of his appointment; and all elections and appointments, held and made by the said commissioners, shall be *viva voce*, and not otherwise. Treasurer.
Security.
To settle accounts.

SECTION 16. That the said commissioners are hereby authorized and required to appoint one or more surveyors or regulators, who are hereby enjoined and required, as soon as conveniently may be, to survey and mark the lines of all the streets, roads, lanes, courts and alleys, now opened or intended to be opened for public use within the said district, which have not been surveyed and returned as aforesaid; and also survey and lay out such other new streets, lanes, courts and alleys, and common sewers within the said district, as he or they shall deem necessary for a regular and convenient town plan, and for the more equal distribution and ready discharge of the waters thereof, and to regulate the height of the streets and gutters, and the width of the footways thereof; and for that purpose the said surveyor or regulator, or survey- To make a survey of streets, &c.
To regulate water courses.

Drafts.	ors or regulators, shall have full power and authority, with or without his or their assistant or assistants, to enter upon the land of any person or persons within the said district; and when the said survey and regulation shall be completed, the said surveyor or regulator, or surveyors or regulators, shall make, or cause to be made, duplicate drafts or plans thereof, with every explanation necessary for a full understanding of the same; and one of the said drafts or plans shall be returned to the said commissioners, who shall keep the same in such place as they shall fix upon, and the other of the said drafts or plans shall be returned
To be returned to court.	to the clerk of the court of the quarter sessions of the said county, to be filed in his office for public inspection and examination; and it shall be the duty of the said commissioners to give at least thirty days' previous notice, in at least two of the public newspapers published in the city or county of Philadelphia, and by handbills, posted up in at least twenty of the most public places in the said district, that on a certain day to be appointed by the court, the said court will hear any objections that may be made thereto by any freeholder or citizen of the said district; and the said court shall, at the time appointed, adjudge and determine whether any and what alterations shall be made therein, and shall direct the drafts or plans, with such alterations as shall be made, to be recorded in the office for recording of deeds for the county of Philadelphia; and thenceforth, all the streets, roads, lanes, courts and alleys, shall be forever deemed, adjudged and taken to be public highways, and the survey and regulations so returned and recorded, shall be and remain unalterable; and inasmuch as the public convenience will for the present be answered by a certain knowledge where and in what manner such streets, roads, lanes, courts and alleys, will in future run, but as it may not be necessary immediately to lay all of them open; and in order to provide for the opening thereof, from time to time, as the increasing improvement of the district may require, it shall and may be lawful for any number of freeholders of the said district, not less than seven, to
Proceedings in court.	apply by petition to the court of quarter sessions of the said county, who, after hearing the petitioners, and such other freeholders through whose lands such street, road, lane, court or alley may pass, as shall offer objections thereto, to determine whether it be proper at the time to direct the opening of the same; and if the court shall be of opinion that the state of improvement in the neighborhood is such as to require the opening thereof, they shall issue their warrant, directed to the superintendent of the streets, roads, lanes, courts or alleys in the said district, enjoining and requiring him to open such street, road, lane, court or alley, according to the said plan or draft; <i>Provided always</i> , That no such street, road, lane, court or alley so laid out, shall be opened and appropriated to public use, until the owner or the owners of the ground through and over which the same may pass, shall have been compensated for any damage such owners may sustain thereby, which compensation shall be ascertained and paid agreeably to the provisions of an act, entitled "A supplement to the act, entitled 'An Act for laying out and keeping in repair the public highways within this commonwealth, and for laying out private roads,' passed the third day of April, Anno Domini one thousand eight hundred and four."
Relative to opening streets, &c.	SECTION 17. That if, in the opinion of the said commissioners, the state of improvement in the district should require it, or would be promoted by it, the surveyor or regulator, or surveyors or regulators appointed, or to be appointed under the sixteenth section of this act, shall be and they are, with the approbation of the commissioners, hereby authorized and empowered, from time to time, as they shall see fit, to execute and perform the duties and powers in and by the said act en-
Further duties of regulators.	

joined and conferred, in such parts and to such extent as to them shall seem convenient and necessary, whether such part consist in surveying and laying out new streets, roads, lanes, courts, alleys or common sewers, in surveying and marking the lines of any streets, roads, lanes, courts or alleys now open, or intended to be opened for public use, or in regulating the height of any streets or gutters, or the width of the footways thereof; and the drafts or plans of any such part or parts being, from time to time, made and returned, and in all respects proceeded upon in the manner prescribed in the said act before mentioned, passed on the third day of April, Anno Domini one thousand eight hundred and four, shall, with respect to the part or parts therein comprehended, have the same force and effect as if one general plan or draft had been made, returned and proceeded upon, any thing in this act contained, to the contrary notwithstanding.

SECTION 18. That the said commissioners shall, whenever required, as the said survey and regulations progress, draw orders on their treasurer for the pay and incidental expenses of the said surveyor or regulator, or surveyors or regulators, who is hereby enjoined and required to pay the amount of such order or orders out of such money in his hand as may not be otherwise appropriated. Expenses, how to be paid.

SECTION 19. That the expense of repairing the pumps and wells which are now sunk and erected, or which may be hereafter sunk and erected by any of the inhabitants of the said district, shall not be defrayed by the board of commissioners, unless the depth of the wells, the quality of the materials with which the pump and well are constructed, and the distance of the same from the line of the street be conformable to the regulation which is or may be made and established by the same. Repair of wells and pumps.

SECTION 20. That no street, road, lane, court or alley, shall be hereafter laid out or opened by the public or by individuals, for public use, of a less width than twenty feet; and that all streets, roads, lanes and alleys which have been heretofore laid out, opened and appropriated to public use, within the said district, by private persons, and communicating and running from and to other public highways, shall, to all intents and purposes, be held, deemed and taken to be highways, as fully and completely, according to their extent, as if the same had been laid out by order of the court of quarter sessions: *Provided*, The same be not less than twenty feet in width. Width of roads, streets, &c.

SECTION 21. That the commissioners shall have full power and authority, upon the application of a majority of the owners of property on any square or squares in the said district, to construct common sewers, set the curb stone, and pave, or cause to be paved, (agreeably to the regulations made and to be made and established, as aforesaid,) the footways and gutters, and pitch and pave the street in the said square or squares, in such manner as they may direct; and shall assess the expense thereof to the freeholders in front of whose ground such common sewers, footways, gutters and streets shall be constructed, paved, pitched and curbed; and shall have the same power to file liens therefor, and recover the amount thereof, with interest and costs thereon, as are now vested in the commissioners of the district of Kensington: *Provided* To construct sewers. always, That all and every owner or owners of ground, fronting on such square or squares, shall have the privilege of laying the curb stone and paving the footways in front of their ground, so that they have it completed within thirty days after due notice in writing having been given for that purpose by the said commissioners, or by any person by them appointed: *And provided further*, That no person shall be Proviso.

obliged to pave any footway to a greater breadth than four feet in front of any lot whereon a dwelling house is not erected.

To lay a tax.

SECTION 22. That the said commissioners shall have full power and authority to lay, annually, any tax not exceeding three mills on the dollar on the value, agreeably to the assessment, to be made by the assessors to be appointed as hereinafter directed, of all the real estates within the said district, and also on all persons residing within the same, and their occupation, to be applied to the purpose of defraying the expenses of the general survey and regulation aforesaid, of opening and repairing the public highways within the said district, keeping the public pumps in repair, and all other expenses not hereinbefore provided for, necessary for carrying this act into execution, and to have the like power to collect the same, as is exercised in collecting the county tax within this commonwealth; and all taxes, when collected, shall be paid to the treasurer, for the use of the said corporation: *Provided always*, That the said district shall not, hereafter, be assessed or bound to contribute towards any tax whatever, in maintaining and repairing any roads or highways, other than those assessed within the limits of the said district.

Proviso.

Accounts of expenditures to be published.

SECTION 23. That the said commissioners shall cause all the accounts of the receipt and expenditures of money to be published, up to the thirty-first day of December, inclusive, in each and every year, within three months thereafter; and the vouchers may be viewed at any reasonable hour by any taxable inhabitant of the said district, who may demand the inspection thereof; and the said commissioners shall also keep regular minutes of their proceedings, which may be examined in like manner as the accounts: *Provided*, That no inspection thereof shall be permitted, until three months after making such minutes, respectively, unless five of the said commissioners (the names of whom shall be entered on the minutes,) shall consent thereto.

Misnomer.

SECTION 24. That no misnomer of the said corporation, provided the intent of the party or parties sufficiently appear, shall defeat or annul any act or intention of such party or parties; nor shall any non-user or neglect of the rights, liberties, privileges, jurisdictions and authorities hereby granted to the said corporation, or any of them, create or cause a forfeiture thereof.

Witnesses.

SECTION 25. That any inhabitant of the said district, if otherwise qualified, may be a witness in all controversies arising under this act.

Election for assessors.

SECTION 26. That the electors of the said district shall, on the same day and at the same place where they meet to elect commissioners for the said district, annually elect one suitable citizen, residing in the said district, to be assessor in said district; and on the second Tuesday in October next, and every third year thereafter, forever, elect two suitable citizens, residing in the said district, to be assistant assessors in the said district; and also two other suitable citizens, residing in the said district, as constables, and return the names of the latter to the next general court of quarter sessions to be held for the said county; and the said court shall appoint one of them constable for the said district; and if either of the constables elected or appointed, as aforesaid, refuse or neglect to take upon him the office to which he shall have been appointed, as aforesaid, or in case of vacancy from any cause, the said court shall appoint another proper person to serve in the office of constable, for and during the said term, or the residue thereof, which the person in whose place he shall be so appointed, was entitled to serve: *Provided always*, That nothing herein contained shall be deemed or taken in any manner to affect the rights of the inhabitants of the township of the unincorporated Northern Liberties, not included in the said incorporated district.

Constables.

Proviso.

SECTION 27. That the assessor, assistant assessors, judge and inspectors of elections under this act, before entering upon the several duties for which they shall have been elected, shall take, before some judge or justice of the peace of the said county, the usual oaths or affirmations prescribed by the acts of the general assembly of this commonwealth in such cases; also, that every constable elected and appointed under this act, before entering on the duties of his office, shall give the like security, and of the same amount; and he and every person or persons acting under his direction, shall be subject to the like penalties in the same cases, and to be recovered in the same manner as are provided with respect to the constables of the township of the unincorporated Northern Liberties, by any act or acts of assembly now in force. Qualification of election officers.

SECTION 28. That all public landing places at the junction of any of the streets in the said district, with the river Delaware or otherwise, which now are or hereafter may be opened, shall be under the jurisdiction of the aforesaid board of commissioners, and their successors, who shall have authority to lease or let out the same for the use and benefit of the inhabitants of the said district; and the governor is hereby authorized to appoint one of the citizens of said district as warden, who shall enjoy all the privileges and powers, and be subject to the same laws, as the present members of the board of wardens of the port of Philadelphia. Landing places. Governor to appoint warden.

SECTION 29. That Indiana street, as the name is laid down on the said survey of the second and third sections of the township of the Northern Liberties, hereinbefore referred to, is hereby vacated from the Frankford turnpike road to Richmond street; and Ann street, as the same is laid down in the said third section, is also hereby vacated from Tulip street to Richmond street; and Richmond lane, as vacated by the said surveys, shall remain as originally laid down and now opened, and that Frankford road shall remain as now opened through this district; and that the said commissioners shall have the like power and authority to law out footways on each side of the said Frankford turnpike road, so far as the said road extends through this district, and to cause the same to be curbed and paved, and recover the amount of the expense thereof, with interest and costs, as are vested in them by the twenty-first section of this act. Indiana street vacated. Footways, paved and curb.

SECTION 30. That so much of the tax assessed for road purposes in this district, and not already appropriated, which has been or may be collected, shall be paid over to the treasurer thereof for the use of the said district, in such manner as the commissioners shall see proper to apply the same. Tax to be paid to treasurer.

SECTION 31. That the said commissioners shall have power and jurisdiction, in all cases in which the election of any member or members of the 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. Powers and jurisdiction of board.

SECTION 32. That so much of any act or acts of assembly, as are hereby altered or supplied, be and the same are hereby repealed, so far as respects this district, saving the right of collection of any taxes heretofore laid and uncollected under any such act or acts. Repeal.

JAMES COOPER,

Speaker of the House of Representatives.

CH. GIBBONS,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.