

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners be, and they are hereby authorized, to settle and adjust all accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expenses necessarily attending the carrying of this act into effect shall be paid by the said commissioners, out of the net proceeds of the said lottery as aforesaid.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all prizes not demanded within twelve months next after publication as aforesaid, shall be deemed and adjudged as relinquished for the benefit of the trustees of the German religious society of Roman catholics, of the Holy Trinity church in the city of Philadelphia, and their successors for ever.

Approved March 25, 1803. Recorded in L. B. No. 9, p. 91.

CHAPTER MMCCCLXIV.

AN ACT RELATING TO COUNTY TREASURERS.

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, no county treasurer shall serve in said office longer than three years, in any term of six years.

Approved March 28, 1803. Recorded in L. B. No. 9, p. 93.

CHAPTER MMCCCLXV.

AN ACT TO INCORPORATE THAT PART OF THE TOWNSHIP OF THE NORTHERN LIBERTIES, LYING BETWEEN THE WEST SIDE OF SIXTH STREET AND THE RIVER DELAWARE, BETWEEN VINE STREET AND COHOCKSINK CREEK.

Whereas the inhabitants of that part of the township of the Northern Liberties, lying between the west side of Sixth street and the river Delaware and between Vine street and Cohock-

sink creek have petitioned the legislature to be incorporated: And whereas it appears to the legislature that many useful regulations and improvements, would be made within the said described parts of the said township, if the same were incorporated: Therefore,

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 inhabitants of that part of the township of the Northern Liberties, lying between the west side of Sixth street and the river Delaware, and between Vine street and the Cohocksink creek, be, and they and their successors for ever are hereby constituted a corporation and body politic, in fact and in law, by the name and style of "The commissioners and inhabitants of that part of the township of the Northern Liberties lying between the west side of Sixth street and the river Delaware, and between Vine street and Cohocksink creek;" and by the same name shall have perpetual succession, and they and their successors shall at all times for ever be able and capable in law, to have, purchase, take, receive, possess and enjoy, lands, tenements and hereditaments, liberties, franchises and jurisdictions, goods, chattels and effects to them and their successors for ever, or any other or less estate; and the same lands, tenements and hereditaments, goods, chattels and effects, to grant, bargain, sell, alien and convey, mortgage, pledge, charge and incumber, or demise and dispose of at their will and pleasure: Provided always, that no sale be made of any of the lands, tenements or hereditaments, except such as hereafter may be acquired, and that no part of the estate to be mortgaged or incumbered, for any sum exceeding the amount of three years taxes within the said incorporated district, nor for a longer term than three years.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said corporation by the name and style aforesaid, are and for ever shall be able and capable in law to sue and be sued, plead 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 whatsoever; 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 for that purpose shall have and use one common seal, and the same from time to time shall and may at their will and pleasure change and alter, deface and make anew.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the inhabitants living within the said described parts of the township of the Northern Liberties, who are or shall be qualified agreeably to the constitution and laws of this state, to vote for members to serve in the general assembly, to meet together at the town house situate within the limits of the said corporation, between the hours of ten in the morning and eight in the evening, on the first Saturday of May next; and then and there to choose by ballot, out of such of the inhabitants residing within the limits of the said corporation, who according to the constitution and laws of this state may be members of the house of representatives thereof, in the manner prescribed for choosing members in the said house of representatives, fifteen suitable persons in the district aforesaid, to serve as commissioners in and for the said incorporated district; and the five persons who shall have the greatest number of votes, shall be commissioners for three years next following, and the five persons who shall have the next greatest number of votes, shall be commissioners for two years next following, and the five persons who shall have the next or third greatest number of votes, shall be commissioners for one year thence next following; and that on the first Saturday in May, which will be in the year one thousand eight hundred and four, and so on the first Saturday in May annually for ever, five persons shall be chosen as aforesaid, to serve as commissioners in the said district for the term of three years. Provided always, that no person shall be excluded from being elected on account of his having before filled the office of commissioner: And provided also, that in all

cases wherein the number of votes shall be equal for two or more candidates, the preference shall be decided by lot, to be drawn by the inspectors of the election.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, that all elections to be held in pursuance of this act, shall be conducted by three inspectors, who shall be appointed at the same place where the commissioners are to be elected as aforesaid, by the electors then assembled, within one hour preceding the election of the said commissioners; and each of the inspectors so appointed shall take an oath or affirmation before some justice of the peace of the 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 skill and abilities.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That all elections to be held in pursuance of this act, shall be held and conducted, except as in and by this act is otherwise directed, in the same and like manner as in and by the laws of this commonwealth, is or shall be directed for holding the general elections for persons to serve in the house of representatives, under and subject to the same rules and penalties.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That when each election so had and held in pursuance of this act shall be closed, and the number of votes for each person shall be ascertained, the judges of the election as aforesaid or a majority of them, shall prepare and make under their respective hands and seals a return thereof, containing the names of the commissioners elect, with the number of votes in favor of each; and shall within two days after the closing of each election, give notice in writing to each of the commissioners elect of their respective elections; and shall also deliver or cause to be delivered the said returns, together with the tickets, list of names, tally-papers and other documents, sealed up to the said commissioners elect, at the times and places in and by this act appointed for them to meet and receive the same.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, that the fifteen persons who shall at the next election to be held in pursuance of this act, have the highest number of votes for the office of commissioners (or on an equality of votes by lot) shall meet together at the said townhouse between the hours of nine and eleven o'clock in the forenoon, of the fourth day next following the said election; that the five persons who shall at every subsequent election have the highest number of votes for the said office of commissioner, together with the ten commissioners whose time shall not have expired, shall meet together at the place aforesaid between the hours of nine and eleven in the forenoon, on the fourth day next following each and every election to be held in pursuance of this act; and then and there shall receive the said returns of commissioners elect, and shall forthwith proceed to examine the same and to judge and determine thereon; and for that purpose the said commissioners so met or a majority of them, shall be judges of the said elections; and shall have full power and authority to approve thereof or to set aside the same, and to order new elections as the law may require, to be held in the manner hereinbefore directed, and at such times as shall be by them appointed, of which they shall give at least six days notice, by handbills posted up in at least ten of the most public places within the said incorporated district.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That each and every commissioner who shall be elected and returned, and whose election shall be approved in manner aforesaid, shall, before he enters on the duties of his said office, take a solemn oath or affirmation before some justice of the peace of the county, well and faithfully to execute the office of a commissioner of said district; and shall thereupon without any further or other commission enter upon the duties thereof, and shall hold and exercise the same for the term for which he shall have been elected as aforesaid.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That if any commissioner of the

said district shall misbehave in his said office, or shall fail or neglect well and faithfully to discharge the duties thereof, it shall and may be lawful for any number, not less than ten of the said commissioners, on the petition and complaint in writing of thirty electors of the said district, fifteen of whom shall be freeholders, to remove in a summary way any such commissioner from his said office: Provided nevertheless, that the said petition and complaint in writing shall fully and minutely state, all the causes assigned for such removal, and no other cause whatever shall be assigned, heard or enquired into: And provided also, that a copy of the said petition and complaint, with a notice of the time and place appointed for hearing and enquiring into the same, shall be served on such commissioner, at least ten days before any such hearing or enquiry shall be made.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That in case two or more vacancies shall happen by death, resignation, removal or otherwise, a majority of the board of commissioners may appoint special elections for supplying such vacancies; and for that purpose a writ from under the hand of their president, and seal of the corporation shall issue, directed to the proper officers; and every special election, shall be held and conducted, and the proper return thereof made in manner and form as is hereinbefore directed for the general election; and the persons so legally chosen shall be commissioners for the remainder of the time, that the commissioners in whose places they were elected had been elected for.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That a majority of the whole of the said commissioners shall be a quorum for transacting all business, except for the purchase and sale of real estate, for the mortgaging or incumbering of the same, or for borrowing any money as aforesaid; for which purpose the concurrence of ten members shall be essential; and the said commissioners shall receive no compensation for their services.

Section XII. (Section XII, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners when

assembled together for that purpose, shall have full power and authority to appoint a suitable person or persons, under such security and penalties as to them may appear necessary, for the inspection and measurement of all cord-wood that may be landed, or offered for sale within any part of the said district; and to make, ordain and establish such and so many laws, ordinances and regulations not inconsistent with the constitution and laws of this commonwealth, as shall be necessary and convenient for the purposes of ascertaining the tolls and rates of wharfage, for all articles brought to public landings belonging to the said incorporated district; for directing the conduct of all persons concerned in buying, selling or acting on any part of the estate belonging to the said incorporation; for fixing the compensation of the officers appointed by the said commissioners for their respective services; for lighting, watching, watering, pitching, paving, repairing and cleansing the streets, lanes and alleys, and the same to enforce, put in use and execution by the proper officers under such penalties as they may prescribe, and at their pleasure to annul, alter and make anew: Provided always, that nothing herein contained shall vest in the said commissioners an authority to regulate the prices of property or labor.

Section XIII. (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the court of quarter sessions of the peace for the county of Philadelphia, shall have and they are hereby vested with full power and authority, to enquire of, hear, try and determine, all offences which shall be committed within the said incorporated district, contrary to this act; or against any of the laws, ordinances or regulations that shall be made, ordained or established in pursuance of this act; and to 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 twenty dollars, which shall be recoverable before any justice of the peace of the county, residing within the said incorporated district: Provided always, that if any person or persons shall think 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 the next court of common pleas or quarter sessions of the county of Philadelphia, he, she or they first entering into recognizance, with at least one sufficient surety in the sum of forty dollars to prosecute the said appeal with effect, and to abide the order of the court, or in default thereof to be sent by mittimus to the sheriff of the county by him to be kept until he, she or they perform the judgment of the court, or be otherwise legally discharged.

Section XIV. (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That such and so many of the said laws, ordinances and regulations as shall not be published in one or more of the public newspapers, published in the said district or in the city of Philadelphia, and in handbills printed in German and English, and posted up in not less than ten of the most public places in the district aforesaid, within ten days from and after their being severally passed, ordained and established, and also recorded in the office of the recorder of deeds for the county of Philadelphia, who shall be allowed and paid for recording thereof, at the same rate as is allowed the master of rolls for recording the laws of this commonwealth, within thirty days from and after their being so as aforesaid passed, ordained and established, shall be null and void.

Section XV. (Section XV, P. L.) And be it further enacted by the authority aforesaid, That before any of the said laws, ordinances, regulations and constitutions, shall be so as aforesaid recorded, the publications thereof respectively shall be proved by the oath or solemn affirmation of some credible person, which oath or affirmation shall be recorded therewith, and at all times be deemed and taken as sufficient evidence of the time of such publications.

Section XVI. (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall have full power and authority to limit, direct and appoint the depth of all vaults, wells and sinks hereafter to be dug within the said district, for privies or necessaries; which regulations

being so made as aforesaid, shall be published and recorded, and the publication proved in the same manner, and within the same period as is herein before directed; and if any person or persons shall dig or cause to be dug, any such vault, well or sink for privies or necessary houses, of any greater depth than shall be limited or appointed as aforesaid, every such person or persons so offending and being thereof legally convicted, in the court of quarter sessions of the peace for the county of Philadelphia, shall forfeit and pay the sum of one hundred dollars, to be appropriated towards defraying the contingent expenses of the said corporation; and the said vaults, wells and sinks shall be filled up, at the expense of the owners.

Section XVII. (Section XVII, P. L.) And be it further enacted by the authority aforesaid, that no person or persons shall lay any foundation or party wall within the said district, before they shall have applied to two or more of the regulators appointed by the said commissioners, who are hereby required and empowered to appoint three or more discreet and skillful persons for that purpose.

Section XVIII. (Section XVIII, P. L.) And be it further enacted by the authority aforesaid, That the said regulators upon application to them made, shall have full power and authority to enter upon the land of any person or persons, in order to set out the foundations and regulate the walls to be built between party and party, as to the breadth or thickness thereof; which foundation shall be laid equally upon the lands of the persons between whom such party walls are to be made; and the first builder shall be reimbursed one moiety of the charge 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 the said wall; the charge or value whereof to be fixed by the said regulators, or by arbitrators mutually chosen.

Section XIX. (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That all appeals hereafter made from the order, direction and award of the said regula-

tors, shall be taken and made, and shall lie to the next court of common pleas, to be holden for the county of Philadelphia within one calendar month from the time of making the order, direction or award appealed from, but not afterwards nor otherwise; whereupon the said court upon security being entered by the party appealing, for the payment of all costs in case he or she should not prevail in his or her appeal, shall direct a venire to the sheriff of the county, commanding him to summon a jury to try the matter in dispute, and shall proceed therein according to law.

Section XX. (Section XX, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall lay, or begin to lay the foundation of any party wall, or wall adjoining to or upon the line of any public street, lane or alley; or shall erect any frame building within the said incorporated district, without first applying to the said regulators, and having the lines and boundaries of the said lot or piece of ground whereon the said foundation is or ought to be laid, or frame building erected, surveyed and 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, without an appeal therefrom, unless determined otherwise on an appeal, in either case every such person employed, as well as master-builder, shall forfeit and pay the sum of forty dollars, to be recovered as debts under twenty pounds are by law recoverable; one half thereof to be appropriated to the use of the commissioners aforesaid, for the purpose of defraying the contingent expenses of the corporation, and the other half to the informer, with costs; provided the prosecution be commenced within one year from the time the offence shall be committed.

Section XXI. (Section XXI, P. L.) And be it further enacted by the authority aforesaid, That the regulators appointed as aforesaid, shall enter in a book all directions, orders and awards by them made in pursuance of this act; and every such order and award if made with reasonable notice to the parties interested shall be conclusive, unless the same

be set aside upon appeal as aforesaid; which book shall be provided and kept by the said commissioners, and shall be under their direction: Provided always, that no person under age, non compos mentis, feme covert, imprisoned or beyond sea, or who shall not have notice as aforesaid, shall be injured or affected by any proceeding, order, direction or award, until the expiration of three years after their coming to full age, returned from beyond sea, discoverture, being at large, of sound memory; or, if within the United States, until the expiration of one year after notice in writing, within which period his, her or their appeal may be entered and prosecuted as aforesaid.

Section XXII. (Section XXII, P. L.) And be it further enacted by the authority aforesaid, That all lands and landing places, tenements, hereditaments, ferries, wharves, market-stalls, rights, franchises, liberties, privileges, goods, chattels and effects whatsoever, whereof any person or persons or bodies politic or corporate are seized or possessed, or which they or any of them hold and enjoy, in trust for or to and for the use of the inhabitants of the said district, to which the said inhabitants are entitled, be, and they are hereby severally and respectively vested in the said corporation or body politic, and their successors in and by this act established, by the name, style and title aforesaid, to and for the use and benefit of the said inhabitants and their successors for ever, saving nevertheless to all and every person and persons, and bodies politic and corporate, his, her, and their rights therein.

Section XXIII. (Section XXIII, P. L.) And be it further enacted by the authority aforesaid, That the treasurer of the said commissioners before he undertakes his office, shall give bond with two sufficient sureties to the commissioners, in such penalty as they from time to time may judge proper; conditioned that he will well and faithfully execute his office, keep regular accounts of his receipts and disbursements, pay all the orders drawn on him by the said commissioners, or a majority of their board, as soon as sufficient monies shall come to his hands, from any of the funds under the direction of the commissioners; and that he will once in every year, or oftener

if thereunto required, settle and adjust with the said commissioners a full and just account, supported with proper vouchers of all his receipts and payments during the preceding time; and that upon his death or the appointment of another treasurer in his room, which the said commissioners or a majority of their board are hereby authorized to do, whenever they see cause, he, 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 no more than shall be allowed him by the said commissioners.

Section XXIV. (Section XXIV, P. L.) And be it further enacted by the authority aforesaid, That so much of all and every act or acts as directs, authorizes or requires any matters or things to be done and performed, by commissioners, regulators or surveyors within the said incorporated district; or by any other person or bodies politic or corporate to manage its concerns, shall from the fourth day after the election of the commissioners, by this act constituted a body politic and corporate, be null and void; excepting the three first sections of the act, entitled "An act to authorize the inhabitants of the Northern Liberties within a certain described part thereof, to regulate the streets, lanes and alleys within the same, and for other purposes therein mentioned," passed April the seventeenth, one thousand seven hundred and ninety-five;⁽¹⁾ which said three first sections shall remain in as full force as if this act had not been passed; and the surveyors and other officers or persons acting in pursuance thereof, shall proceed to the final completion of the survey, and general regulation therein contemplated and directed; which said survey and general regulation when confirmed, according to the form and manner expressed in the said three first sections, shall remain obligatory upon and unalterable by the said corporation and board of commissioners constituted by this act: Provided nevertheless, that nothing herein contained shall bar, prevent or in any manner impede the recovery of any sum or sums of money, or of any other matter or thing for the recovery whereof suits have been or may be instituted; but the same may be carried

on by the said commissioners hereby incorporated, to final judgment, execution and recovery: And provided further, that all and every matter and thing that has been commenced, begun or entered upon by the said commissioners or regulators, or either of them, in pursuance of the powers and authorities in them vested, shall be of the same force and effect as if this act had not been passed; and may from and after the time last mentioned, be proceeded in and carried into effect, as fully as the same might or could have been done by the said commissioners or regulators, or either of them, had this act not been passed; and for this purpose all contracts and agreements made or entered into by the said commissioners or regulators, or either of them, in pursuance of the powers in them legally vested, previously to the time last aforesaid, shall be equally binding upon the commissioners, and upon the person or persons with whom the same have been or shall be made, as if the same had been originally made and entered into by and between them: Provided also, that nothing contained in this act, shall in any wise prevent the supervisors of the township, from assessing and collecting such taxes otherwise by law directed, as may be necessary for the repairing and improving of the highways in the said township.

Section XXV. (Section XXV, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall have full power and authority, to pave or cause to be paved, the footways and gutters within the said incorporated district; or so much thereof as they shall deem necessary, with brick or flat stones as the case may require; and shall plant or cause to be planted curbstones or posts, as to them may appear proper, to prevent the said pavements or gutters from being injured by carriages; agreeably to the regulations made and established, or to be made and established by the surveyors in pursuance of an act, entitled "An act to authorize the inhabitants of the Northern Liberties within a certain described part thereof, to regulate the streets, lanes and alleys within the same, and for other purposes therein mentioned," passed April the seventeenth, one thousand seven hundred and ninety-five;⁽¹⁾ and shall assess the freeholders in

front of whose ground such footways shall be paved, in order to defray the expense of paving and keeping the same in repair, in proportion to their respective extents of front; and the said commissioners shall have full power and authority, upon the application of two thirds of the freeholders, on any street, lane or alley to establish lamps and a nightly watch, in such street, lane or alley, the expense to be defrayed by an assessment agreeably to the county rates and levies, within the district so lighted and watched; and upon like application shall have full power and authority, to pitch and pave any street, lane or alley within the said district, provided the said street, lane or alley so required to be paved, be not less in length than one, nor exceeding two squares at any one time; and the owners of land in front of which such street is pitched and paved, shall be taxed in proportion to the extent of the respective fronts of their property, within the street so pitched and paved: Provided always, that all and every owner or owners of ground, shall have the privilege of paving the footway on their own fronts as aforesaid, so that they have it completed within one month, after due notice in writing being given for that purpose by the said commissioners, or by any person by them appointed: And provided further, that no person shall be obliged to pave any footway, to a greater breadth than four feet in front of any lot whereon a dwelling house shall not be erected.

Section XXVI. (Section XXVI, P. L.) And be it further enacted by the authority aforesaid, That for the well governing of the said district, and the ordering the affairs thereof, there shall be such officers therein, and at such salaries or compensation as the commissioners shall direct; each and every of such officers shall nevertheless before entering on the duties of his said office, take a solemn oath or affirmation, well and faithfully to perform and execute the same.

Section XXVII. (Section XXVII, P. L.) And be it further enacted by the authority aforesaid, That the supervisors of the highways of the aforesaid township, shall pay annually into the hands of the treasurer of the said corporation, one-third part of the monies by them collected for the repairs of the pub-

lic highways, which sum shall be appropriated by the before mentioned commissioners, for the purpose of repairing and cleansing the streets within the district aforesaid, and, for paving the intersections thereof.

Section XXVIII. (Section XXVIII, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall have full power and authority, to lay yearly and every year, any rate or assessment not exceeding twenty-five cents in every hundred dollars, of the clear value of all the real and personal estate within the said district; to be applied to the purpose of carrying this act into execution, and for defraying the expense of repairing the pumps already erected, and which may hereafter be erected by the inhabitants; and to appoint collectors of all taxes by this act made payable, from whom adequate security shall be taken; and all rates and assessments being fairly made, shall be transcribed in a book to be kept by the said commissioners; and a duplicate thereof shall be delivered to the said collectors, by them to be appointed from among the inhabitants of the said district, who are hereby authorized, enjoined and required, to receive, collect and recover, the rates and assessments in the same manner and form, and by the same legal remedies which are by law appointed, for recovering and collecting the county taxes in the said township; and having received and collected the same or any part thereof, shall at the end of every month from time to time of his appointment, or when thereunto required, account with and pay to the person whom the said commissioners shall appoint their treasurer, all such sums of money which they shall have so collected during the preceding months, deducting therefrom such commissions as shall have been agreed upon, at the time of entering security: Provided, such commissions do not exceed five per centum, on all monies so received or collected.

Section XXIX. (Section XXIX, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall cause all accounts of receipts and expenditures of money, to be published up to the thirty-first day of December, inclusive in each and every year, within three months there-

after; and the vouchers in support of all charges may be viewed at any reasonable hour, by any taxable inhabitant residing within the bounds of the corporation who may demand the inspection thereof; and the said commissioners shall also keep regular minutes of their proceedings, which may be examined by like persons, and at like times as the accounts aforesaid: Provided, that no inspection thereof shall be permitted, until three months after making such minutes respectively, unless ten commissioners, the names of whom shall be entered on the minutes, consent thereto.

Section XXX. (Section XXX, P. L.) And be it further enacted by the authority aforesaid, That all and every person or persons, bodies politic or corporate, who are or shall be seized or possessed of any lands, tenements and hereditaments, goods, chattels, monies and effects whatsoever, which they or any of them hold or enjoy, in trust for or to and for the use of the inhabitants of the said incorporated district, to which the said inhabitants are entitled, shall on reasonable request, deliver the same to the said commissioners, together with all deeds, writings, evidences, books and papers, touching and concerning the same, with proper assignments where the same shall be necessary, and just, true and fair accounts thereof; and whosoever shall fail therein, shall be liable to be sued for the same, and shall moreover forfeit and pay to the said commissioners, any sum of money not exceeding twelve hundred dollars, to be sued for and recovered in any court of record, and to be applied to the use of the inhabitants of the said district; and upon trial any inhabitant of the said district, shall be a competent witness on behalf of the said commissioners.

Section XXXI. (Section XXXI, P. L.) And be it further enacted by the authority aforesaid, That no misnomer of the said corporation, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: Provided, the intent of the parties shall sufficiently appear on the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from the said corporation; nor shall any disuser or nonuser of the rights, liberties, privi-

leges, jurisdictions and authorities hereby granted to the said corporation, or any of them, create or cause a forfeiture thereof.

Section XXXII. (Section XXXII, P. L.) And be it further enacted by the authority aforesaid, That as often as any doubts shall arise touching this act, the same shall in all courts of law and equity and elsewhere, be construed and taken most favorably for the said corporation.

Approved March 28, 1803. Recorded in L. B. No. 9, p. 94.
Note (*). Chapter 1841, 15 Statutes at Large p. 296.

CHAPTER MMCCCLXVI.

AN ACT DIRECTING SHERIFFS AND CORONERS TO GIVE SUFFICIENT SURETIES FOR THE FAITHFUL EXECUTION OF THEIR OFFICIAL DUTIES, AND FOR OTHER PURPOSES.

Whereas the public security requires that sheriffs and coroners should give sureties, proportioned to the trusts confided, for the faithful execution of their official duties: And whereas the existing laws, relating to this subject, are defective, inadequate and inapplicable to the greater number of the counties within the commonwealth: Therefore,

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 sheriff of each and every of the following counties, before he shall be commissioned or execute any of the duties of his office, shall enter into a recognizance and become bound in an obligation with at least two sufficient sureties, in the sums and manner herein after mentioned, to wit: The sheriff of the city and county of Philadelphia, in the sum sixty thousand dollars; the sheriff of the county of Bucks, in the sum of fifteen thousand dollars; the sheriff of the county of Chester, in the sum of twenty thousand dollars; the sheriff of the county of Lancaster, in the sum of twenty-five thousand dollars; the sheriff of the county of York, in the sum of fifteen thousand dollars; the sheriff of the