

1787. from the attainder of the offender, shall be paid in an equal and proportionable manner, according to the quantity of the demands, whether the same be yet due and payable, or payable thereafter; and the Justices of the Supreme Court, or any two of them, shall hear and determine upon all and any claims, as last aforesaid, in a summary manner, as to equity shall appertain, and the widow, child, children and kindred of the offender, shall be awarded their respective legal demands upon the estate, which he or she shall forfeit as aforesaid, in like summary manner, upon petition to the Justices of the Supreme Court, made within two years after the attainder of the forfeiting persons, respectively, but not afterwards, by the person or persons who shall be entitled to the same: *Provided*, That no person shall have any share or part of any estate, which shall be escheated by attainder, for discovering the same to the President or Vice-President in Council, unless the President or Vice-President in Council, by proclamation, think fit to offer a reward for such discovery, which reward shall not exceed one half of the monies arising from the same, after all charges and costs be deducted, nor unless the person discovering the same procure the necessary evidence to substantiate the title of the commonwealth thereto, and prosecute the right of the commonwealth to the same with effect. (*h*)

The Escheator to have access to papers and records.

SECT. XVIII. *And be it further enacted by the authority aforesaid*, That the Escheator-General, or his deputies, shall, at all reasonable times, have access to the public papers in the Land-Office, and other public records, free from any cost, charge or fee.

Passed 29th September, 1787.—Recorded in Law Book No. III. page 294.

(*h*) By the 19th section of the 9th article of the constitution, it is declared, that no attainder shall work corruption of blood, nor excepting during the life of the offender, forfeiture of estate to the commonwealth; that the

estates of such persons as shall destroy their own lives shall descend, or vest, as in case of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof (*Note to former edition.*)

CHAPTER MCCCVI.

An ACT for incorporating the German Reformed Congregation of Frankford, in the township of Oxford, and county of Philadelphia.

Passed 29th of September, 1787.—Private Act.—Recorded in Law Book No. III. page 263.

CHAPTER MCCCVII.

An ACT for regulating chimney-sweepers, within the city of Philadelphia, the district of Southwark, and township of the Northern-Liberties, in the county of Philadelphia. (i)

SECT. I. WHEREAS the houses and estates of the inhabitants of the city of Philadelphia, and of the district of Southwark,

(*i*) By a supplement to the act for incorporating the city of Philadelphia (enacted the 2d of April, 1790) the corporation are empowered to regulate the

prices of chimney-sweepers, &c. and an ordinance was passed for that purpose on the 28th of February, 1791. (*Note to former edition.*)

[See vol. 1, page 129, Chap. 245.]

and the township of the Northern-Liberties, in the county of Philadelphia, are frequently endangered by chimnies taking fire, and blazing out at the top, and it is necessary that such abuses should be remedied by law, and a proper regulation made among those who undertake the sweeping of chimnies:

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and page 207,
chap. 388.]

SECT. II. *Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That* no person or persons, from and after the passing of this act, shall follow the business or occupation of a chimney-sweeper, either by himself, his servants, negroes, or others, within the city of Philadelphia, the district of Southwark, or the township of the Northern-Liberties aforesaid, without having first made application to the officer hereinafter directed to be appointed, and having registered, or caused to be registered, his or their name or names, and the name or names of his or their servants, negroes, or other persons aforesaid, with a number affixed to each and every such name in a book, by the said officer to be kept for the purpose, and without procuring and receiving from the said officer a certificate of every such registry, containing the number and the name of every person so entered, under the penalty of ten shillings for every day he shall follow by himself, or cause to be followed by his servants, negroes, or others, the said business, which said certificates the said officer is hereby enjoined and required to make out, under his hand, and to deliver to the person or persons who shall apply for the same; and for every such registry and certificate he shall receive the sum of seven shillings and six-pence, and no more.

Chimney-sweepers to register their names, the same to be numbered and a certificate thereof taken out.

Penalty on transgressing therein.

SECT. III. *And be it further enacted by the authority aforesaid, That* every person following the business aforesaid, within the said city, district and liberties, shall (if he follows the employment himself) wear, or, (if he employs his servants, negroes, or others) cause to be worn, on the front of their caps, in full view, without any concealment, the same figures and numbers, respectively, as shall be so as aforesaid entered in the said book, and contained in his or their respective certificates, and none other, in large figures, not less than two inches in length, to be made of strong durable tin or copper; and that all and every person and persons, who shall follow the said business or employment, by him or themselves, or by his or their servants, negroes or others, not having the said number fixed on his or their cap and caps, and the cap and caps of his and their servants, negroes, and other persons aforesaid, according to the directions aforesaid, or, when fixed, shall wilfully deface or conceal the same, or shall neglect to keep them plain and visible, shall, for each and every such offence, forfeit and pay the sum of ten shillings for every day he or they shall follow the said employment, not wearing the said number as aforesaid.

Chimney-sweepers to wear their numbers on their caps.

Penalty on transgressing therein.

SECT. IV. *And be it further enacted by the authority aforesaid, That* if any person or persons, undertaking the business or occupation aforesaid, shall not, within forty-eight hours, after application to him or them made, by any of the inhabitants of the said city, district, or Northern-Liberties, sweep, or cause to be swept, such chimney or chimnies, as he or they shall be required to sweep, every

Penalty on chimney-sweepers not attending within forty-eight hours after notice.

1787. such person or persons, so offending, shall forfeit and pay the sum of twenty shillings.

Prices for sweeping chimnies.

SECT. v. *And be it further enacted by the authority aforesaid,* That every chimney-sweeper shall have and receive, for every chimney by him swept within the city of Philadelphia, and for every chimney by him swept in the district and liberties aforesaid, not more than one mile distant from the northern and southern boundaries of the said city, as follows; that is to say, for every chimney passing through two stories, or under, nine-pence, for every chimney passing through three stories, one shilling, for every chimney passing through four or more stories, one shilling and six-pence, and no more. (k)

Penalty in case of chimnies taking fire.

SECT. VI. *And be it further enacted by the authority aforesaid,* That if the chimney of any person or persons, within the said city, district or liberties, shall take fire, and blaze out at the top, the same not having been swept within the space of one calendar month next before the time of taking of such fire, every such person or persons shall forfeit and pay the sum of forty shillings; and if any chimney shall take fire, and blaze out at the top, the same having been swept within one calendar month from the time of taking such fire, the person who swept the same, either by himself, his servants, or negroes, shall forfeit and pay the sum of forty shillings.

The register of chimney-sweepers, how to be appointed.

SECT. VII. And to the end that the regulations by this act prescribed may be executed, *Be it enacted by the authority aforesaid,* That any three of the Justices of the peace of the said city and county, together with the Wardens of the said city, shall appoint the officer for registering and granting certificates to chimney-sweepers, and for collecting of the said fines and forfeitures, who is hereby strictly required to do and perform the several duties of the said office, enjoined by this act.

Appropriation of fines and forfeitures.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That all and every the penalties and forfeitures, imposed by virtue of this act, shall be paid, one half thereof to the use of the officer aforesaid, and the other half thereof to the overseers of the poor of the said city, district or township, where the offence shall be committed, for the use of the poor thereof, to be sued for in the name of the officer, and recovered before any Justice of the peace for the said city and county, who is hereby authorized to hear, try, judge and determine the same: *Provided always,* That nothing in this act shall extend, or be construed to extend, to a greater distance than one mile from without the bounds of the city of Philadelphia.

The operation of the act limited in point of place.

Repeal of former acts.

SECT. IX. *And be it enacted by the authority aforesaid,* That so much of the act of General Assembly, passed in the year one thousand seven hundred and twenty-one, entitled "An act for preventing accidents that may happen by fire," and of the act of General Assembly, passed in the year one thousand seven hundred and fifty-one, entitled "An act for the more effectual preventing accidents which may happen by fire, and for suppressing idleness, drunkenness, and other debaucheries," as relate to the firing of chimnies

(k) The same prices are continued under the ordinance of the 28th of February, 1791. (Note to former edition.)

within the said city, and one other act of General Assembly, passed the twenty-first day of March, one thousand seven hundred and seventy-two, entitled "An act for regulating chimney-sweepers, within the city of Philadelphia, the district of Southwark and the township of the Northern-Liberties," shall be, and are hereby, declared to be repealed. 1787.

Passed 29th September, 1787.—Recorded in Law Book No. III. page 247.

CHAPTER MCCCX.

An ACT to appoint commissioners to regulate the streets, lanes and alleys, in the district of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned, through the said district and parts of the townships of Moyamensing and Passyunk.

SECT. I. WHEREAS the district of Southwark has become populous, and the freeholders thereof are daily erecting buildings, and making improvements therein, but for want of a public and general regulation of the streets, lanes and alleys, they are irregularly placed, and there is danger that in time they will become a heap of confused buildings, without order or design, unless a remedy be speedily applied: And whereas it is highly necessary that every town, or part of a town, should have a direct and convenient communication with the country, in order to an easy exchange of the necessaries of life with each other, and there is no road from the district of Southwark to the surrounding country, but what is circuitous and inconvenient:

[See vol. 1, pa. 246, chap. 481.]

SECT. II. *Be it therefore enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That Francis Gurney, Richard Wells, Presley Blackiston, Thomas Shields, and Gunning Bedford, be, and they are hereby, appointed commissioners, for the purposes in this act contained, and they, or any three of them, shall have full power and authority to do and perform all and every the matters and things herein mentioned and contained by the commissioners to be performed, and that in case of the death, resignation or inability of any or either of the said commissioners, it shall and may be lawful for the Supreme Executive Council of this commonwealth to appoint another or other proper and judicious person or persons, to supply his or their places, from time to time, until the end of this act shall be fully answered, which person or persons, so to be appointed, shall have the same powers, as if he or they were named in this act.*

Commissioners appointed to regulate the streets in Southwark, &c.

SECT. III. *And be it further enacted by the authority aforesaid, That the said commissioners, before they take upon themselves the duties required by this act, shall take and subscribe, before one of the Judges of the Supreme Court, or Court of Common Pleas for the county of Philadelphia, an oath or affirmation, that they will well and faithfully execute the duties required by this act, ac-*

They shall take an oath of office.