

1790. residing within the said county; and they, or a majority of them, heretofore and now appointed, and residing within the said county, shall have and execute all the powers, trusts and duties, committed to the five trustees in the act for erecting the said county, in the same manner, and as fully, as if the said Andrew Henderson and Richard Smith had been originally appointed trustees in the said act.

Passed 2d April, 1790.—Recorded in Law Book No. IV. page 103-4.

## CHAPTER MCCCCXCVIII.

*A further SUPPLEMENT to the act, entitled "An Act to incorporate the city of Philadelphia."*

[See the original act, ante. pa. 462, chap. 1383.]

SECT. I. WHEREAS the power of appointing collectors of the taxes for paving, lighting and watching the streets of the city of Philadelphia, was formerly vested in the city assessors, and since those officers have been by law directed no longer to be chosen, the authority of appointing such collectors has lapsed: And whereas, by the thirty-fifth section of the act to incorporate the city of Philadelphia, the Mayor, Recorder, Aldermen and Common Councilmen are empowered to execute and perform all such matters and things, as the Wardens and Street Commissioners were, at and immediately before the passing of the said act, respectively authorized and enabled by law to do; and by the thirty-sixth section of the said act, the Mayor or Recorder, and four of the Aldermen, are empowered to do and perform all such matters and things, as the said Wardens and Street Commissioners were, respectively, at and immediately before the enacting the said act, authorized and enabled by law to do and perform, in conjunction with any Justice or Justices of the peace of and for the city and county of Philadelphia, or either of them: And whereas it will be more convenient and beneficial, that instead of separating and dividing the above mentioned powers, as the said act directs, that the whole of the said powers should be vested in and exercised by such person or persons, and in such manner, as the said Mayor or Recorder, Aldermen and Common Councilmen, in Common Council assembled, shall regulate, ordain, enact or appoint: And whereas some of the existing laws, relative to the paving, lighting and watching the streets of the city of Philadelphia, contain regulations which are now somewhat inconvenient, and others which may be improved: Wherefore it will be most convenient and proper to invest the said Mayor, Aldermen and Citizens of Philadelphia, with the power of legislating, estimating and raising of taxes, so far as respects the lighting, watching, watering, pitching, paving and cleaning the streets of the city, unrestrained by any of the said existing laws relative thereto:

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 from and after the passing of this act, the Mayor, Recorder, Aldermen and Common Councilmen, in Common Council assembled, shall have full power and authority to make, ordain, constitute and*

The Corporation empowered to assess and levy taxes for lighting,

establish, such and so many laws, ordinances, regulations and constitutions, as shall be convenient and necessary for the purposes of estimating, assessing, raising and levying of taxes upon the persons of single men, and upon the estates, real and personal, of the inhabitants of the city of Philadelphia, for the purposes of lighting, watching, watering, pitching, paving and cleansing of the streets, lanes and alleys of the said city, and directing, appointing and regulating the time, order and manner of estimating, assessing, raising, levying and collecting of the said taxes, and of lighting, watching, watering, pitching, paving and cleansing the said streets, lanes and alleys, any law of the General Assembly of Pennsylvania, heretofore made, to the contrary, in any wise, notwithstanding.

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 watching, watering, pitching, paving and cleansing the streets of Philadelphia.

SECT. III. And whereas, by acts of Assembly existing at the time the said act to incorporate the city of Philadelphia was enacted, the late Wardens of the city, with two Justices of the peace, were empowered to regulate and fix the rates and prices to be taken by waggoners, carters, draymen, porters and wood-sawyers: And whereas it is reasonable that the prices and rates to be taken by chimney-sweepers should be regulated by the Mayor, Aldermen and Citizens of Philadelphia, and that all the various powers and authorities, which, at the time of making the said act to incorporate the city of Philadelphia, were vested in the said Wardens and Street Commissioners, jointly or severally, or which were vested in the said Wardens and Street Commissioners, respectively, in conjunction with one or more Justice or Justices of the peace for the city and county of Philadelphia, should be vested in the said Mayor, Aldermen and Citizens of Philadelphia: Therefore, *Be it further enacted by the authority aforesaid,* That, from and after the enacting hereof, the Mayor, Recorder, Aldermen and Common Councilmen, in Common Council assembled, shall have full power and authority to make, ordain, constitute and establish, such and so many laws, ordinances, regulations and constitutions, as shall be necessary and convenient for the purposes of fixing, ascertaining and regulating, from time to time, the rates and prices, which shall be demanded and received by waggoners, carters, draymen, porters, wood-sawyers and chimney-sweepers, for each and every labour and service which they shall respectively do and perform within the said city of Philadelphia; and also for the doing, performing and executing all and every other power, authority, act, matter and thing whatsoever, which the said Wardens and Street Commissioners separately of themselves, or they, or either of them, in conjunction with one or more Justice or Justices of the peace, or with any other person or persons whatsoever, were authorized and empowered, or might or could lawfully do or perform, by or under any laws in force at the time the act to incorporate the city of Philadelphia was made.

The corporation may regulate the prices of waggoners, draymen, porters, wood-sawyers and chimney sweepers;

and such things as the Wardens and Street Commissioners might have done.

SECT. IV. *And be it further enacted by the authority aforesaid,* That so much of the thirty-fifth and thirty-sixth sections of the act to incorporate the city of Philadelphia, as is by this act altered or supplied, is hereby declared to be repealed. *Provided nevertheless,* That the consent and approbation of the Mayor or Recorder, and of a majority of the Aldermen, and also of the Common Councilmen,

Repeal of part of the former law.

By what majority ordinances

1790. who shall from time to time be present, and in Common Council assembled, shall be necessary to the making, ordaining, or establishing of all such rules, regulations, appointments, laws, ordinances and constitutions, as the said Mayor, Recorder, Aldermen, and Common Council-men, in Common Council assembled, shall make, ordain and establish.

Passed 2d April, 1790—Recorded in Law Book No. IV. page 100.

### CHAPTER MCCCCXCIX.

*An ACT to incorporate the Carpenter's Company of Philadelphia.*

Passed 2d April, 1790.—Private Act.—Recorded in Law Book No. IV. page 97:

### CHAPTER MD.

*An ACT for altering a certain clause in the charter of the corporation for the relief of the widows and children of clergymen of the Protestant Episcopal Church in the United States of America.*

Passed 2d April, 1790.—Private Act.—Recorded in Law Book No. IV. page 102.

### CHAPTER MDI.

*A SUPPLEMENT to the several acts of Assembly of this state relative to the inspection of staves, heading and lumber.*

SECT. I. WHEREAS it frequently happens that staves and heading are suddenly taken from the lumber yards on board of vessels, without affording an opportunity to inspect and cull the same: And whereas the penalty for mixing cullings and unmerchantable staves and heading with such as have been adjudged merchantable is confined to the exporter, and thus the innocent may suffer, while the guilty escape: And whereas the acts of Assembly of this state for regulating the exportation of lumber have been found, in other respects, inadequate to the purposes intended:

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 all staves and heading brought into the city of Philadelphia, the district of Southwark, or the Northern-Liberties, shall before they are delivered to the person or persons to whom the same may be consigned or sold, and before the same are received into any lumber yard or other place for sale or exportation, be inspected and culled by the officer or officers appointed by the laws now in force, or by his or their deputy or deputies; and if any person or persons shall offend in the premises, he or they shall forfeit the staves or heading delivered or received as aforesaid, one half to the use of the commonwealth, the other half to the use of the informer.*

[See the original act, vol. 1, p. 223, chap. 439, and the notes thereon.]

Staves and heading to be inspected, before delivered.

Penalty on transgressing.