

ernment and the other half to him that shall sue for the same, and further that this act shall be and continue in force for the term of three years and no longer.

Passed February 28, 1710-11. Confirmed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II. Expired. See the Act of Assembly passed May 28, 1715, Chapter 210.

CHAPTER CLXXVIII.

AN ACT FOR REGULATING OF PARTY WALLS AND BUILDINGS IN PHILADELPHIA.

Whereas there are divers inconveniences, irregularities and controversies prejudicial to many of the inhabitants of Philadelphia, about party walls, and for want of due care in laying the foundations of buildings regular in the said city; for the preventing and remedying whereof:

[Section I.] Be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That no person or persons within the city of Philadelphia, builder or builders shall hereafter lay the foundation of any building, or cause [the same] to be laid, before he or they have the advice and concurrence of the surveyors or regulators which the mayor, aldermen and commonalty of the said city are hereby empowered, from time to time, to nominate and choose two or more discreet persons, understanding the art of building, and shall qualify them according to law, for surveyors or regulators in the same, who shall take care the foundations be set out and laid regular, and that party walls be equally set, one-half upon one man's ground and the other half upon the other man's ground, and the first builder to be re-imbursed by him that builds next for one moiety of the charge of the said wall, or so much thereof as he shall use, before the second building shall be begun.

[Section II.] And be it further enacted by the authority aforesaid, That for ending and deciding all differences and controversies which shall or may arise about party walls already built, or to be built in the said city, upon complaint made to any one alderman, he shall forthwith send for the regulators aforesaid, who shall go upon the spot, view the premises, measure the building, and compute the value thereof, and then by an impartial judgment, shall mediate an agreement between the parties differing; but if their endeavors prove ineffectual, the party grieved may appeal to the mayor and court of aldermen, who shall send for the other person or parties concerned, and after a full hearing of both sides, may affirm or reverse the same. And if after such sentence given either person or party shall refuse compliance therewith, then and in such case the aggrieved party or person may sue for and recover, in any court of record in this province, such sum so allowed, or damages awarded by the mayor and court of aldermen, the same to appear by transcript from the record of the said court, which shall be definitive in all such cases, any law, usage or custom to the contrary in anywise notwithstanding.

Passed February 28, 1710-11. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Act of Assembly passed February 24, 1720-21, Chapter 242.

CHAPTER CLXXIX.

AN ACT EMPOWERING COMMISSIONERS TO COMPEL THE COLLECTING OF ALL ARREARAGES OF FORMER TAXES.

Whereas divers Acts of Assembly have been made in this Province whereby considerable sums have been paid; but great complaint being made that part thereof either remains ungathered or is detained by the collectors or receivers, whereby part of the public debts still remain unpaid and they that paid their levies look upon it an oppression to have more laid upon them, unless those who are in arrears be likewise obliged to pay their said arrears, which said acts were made at the Assemblies