

## CHAPTER MMCXXII.

---

AN ACT TO AUTHORIZE THE ELECTORS OF THE DISTRICT OF SOUTHWARK, AND THE ELECTORS OF THE TOWNSHIP OF THE NORTHERN LIBERTIES, EACH TO CHOOSE FOUR INSPECTORS, AND THE TOWNSHIP OF GERMANTOWN TO CHOOSE ONE ADDITIONAL INSPECTOR, TO SERVE AT THE GENERAL ELECTIONS.

[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, the electors of the district of Southwark shall choose four inspectors, and the electors of the township of the Northern Liberties shall choose four inspectors, and the electors of the township of Germantown shall choose one additional inspector, to serve at the general elections, at the same time and places, and in the same manner, as is prescribed by the second section of the act, entitled, "An act to regulate the general elections within this commonwealth,"<sup>1</sup> anything in that or any former law to the contrary in anywise notwithstanding.

Passed March 7, 1800. Recorded L. B. No. 7, p. 129.

## CHAPTER MMCXXIII.

---

AN ACT TO INCORPORATE THE TOWN OF FRANKFORD, IN THE COUNTY OF PHILADELPHIA.

[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 town of Frankford, in the

<sup>1</sup>Passed September 13, 1785, Chapter 1175.

county of Philadelphia, shall be, and the same is hereby, erected into a borough, which shall be called the borough of Frankford, and shall be comprised within the following boundaries, viz: Beginning at a corner by the side of Frankford creek, between land of Rudolph Neff and land now or late of Henry Rover, and extending thence down Frankford creek one hundred and ninety-five perches, or thereabouts, to the mouth of Tacony creek; thence up Tacony creek on its several courses about six hundred and ten perches to a corner of Jacob Smith's land, thence by land of the said Jacob Smith, Robert Smith and others, south thirty-eight degrees fifteen minutes west four hundred and nine perches and six-tenths of a perch, to the place of beginning.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That it shall be lawful for the freemen of the said borough, who shall have resided therein one year immediately preceding the day of election, and who are or shall be otherwise qualified, agreeably to the constitution and laws of this state, to vote for members of the general assembly, to meet together at the Frankford academy, for the first election, and afterwards at such place within the said borough that the burgesses, for the time being, may appoint, between the hours of two and six o'clock in the afternoon, on the first Monday in the month of May next, and on that day in the same month annually, and then and there choose, by ballot, out of such of the inhabitants residing within the said borough, who, according to the constitution and laws of this state, may be members of the house of representatives, in the manner prescribed for choosing members of the said house of representatives, two suitable persons for burgesses, the one having the highest number of votes to be the chief burgess, and five suitable persons for assistants, to advise with and aid the said burgesses in the execution of the authorities hereby given them, and also one suitable person for high constable; but if it should happen that two persons should have the like number of votes for chief burgess or constable, the judges of the election shall decide by lot who shall take the office.

[Section III.] (Section III, 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 judges, who shall

be elected in the same manner, and at the same place, as the burgesses, assistants and high constable, on the Saturday preceding the election of the said burgesses, assistants and high constable, between the hours of two and six in the afternoon; and each of them shall take an oath or affirmation 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; and the said judges shall receive and count the votes, and declare the persons duly elected; whereupon duplicate certificates of the persons so elected shall be signed by the judges chosen as aforesaid, one whereof shall be transmitted to the clerk of the court of quarter sessions of the county, within three days after the said election, and the other filed among the records of the corporation.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said burgesses and freemen, duly qualified to elect as aforesaid, and their successors forever hereafter, shall be one body politic and corporate in law, by the name of "The Burgesses and Inhabitants of the Borough of Frankford, in the County Philadelphia;" and shall have perpetual succession; and they and their successors, by the name aforesaid, shall, at all times hereafter, be persons able and capable in law to receive, purchase, or otherwise hold and possess lands, tenements, rents, jurisdictions, liberties, franchises and hereditaments, to them and their successors, in fee simple, or for term of life, lives, years, or otherwise, and also goods and chattels, and all other things of whatsoever kind or nature; and also to give, grant, let, sell and assign the same lands, tenements, goods and chattels, and to do and execute all other things about the same, by the name aforesaid; and they shall forever hereafter be persons 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 or any courts within this commonwealth, in all manner of actions, suits, complaints, pleas, causes and matters whatever. And it shall and may be lawful for the said burgesses and inhabitants, and their successors forever, to have and use one common seal, for the sealing of all business touching the said corporation, and the same, from time to time, at their pleasure, to alter, change and make anew.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the burgesses and assistants so chosen, or a majority of them, who shall be competent to do business, shall have full power and authority to make all such ordinances, rules and regulations (not repugnant to the constitution and laws of this commonwealth) as may be necessary for improving the streets, lanes and alleys, and for regulating the depth of all wells, vaults and sinks for necessaries, within the said borough, and the same to annul, alter and make anew, as occasion may require, and also assess, collect and appropriate such taxes (not exceeding one cent in the dollar on the valuation of the last county rates, unless a higher tax shall be agreed to by a majority of the electors called together for that purpose) as they shall think best calculated to promote the interests of the corporation. And the said burgesses and assistants may appoint all such other officers, as shall be requisite to carry into complete effect the provisions of this act, and displace them, at their pleasure, and have all other powers necessary for the well ordering and better government of the said borough.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if any person elected as aforesaid, shall refuse to serve the office to which he shall have been elected, then it shall be lawful for the other burgesses and assistants to appoint such other person or persons, as may be properly qualified to serve, instead of the person or persons so refusing, and may also fill up all vacancies occasioned by the death, resignation or removal of any officer, which appointments shall be as valid as if the persons had been chosen by the freemen of the borough at their annual election; and the said burgesses are hereby empowered and authorized, upon their own view, or in other lawful manner, to remove all nuisances in the streets, lanes and alleys within the said borough, as they shall see occasion, and all fines and forfeitures incurred in pursuance of this act, or under the ordinances of the said burgesses and assistants, shall be recovered before the burgesses, or either of them, or any justice of the peace, resident within the said borough, for the use of the corporation.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That it shall be lawful for the said burgesses and assistants to appoint three discreet persons, who shall be called regulators, and who, upon application being made to them, shall have power to enter upon the land of any person or persons, in order to mark out the foundations, and regulate the walls to be built between party and party (a stone wall not to exceed nine inches, and a brick wall not more than four inches and an half over the line) as to the breadth or thickness thereof, which foundations shall be equally laid on the lands of the parties between whom such party wall is to be built; and the first builder shall be reimbursed one moiety of the charge of such party wall, or such part thereof as the next builder shall have occasion to occupy 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 referees mutually chosen.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons begin to lay the foundation of any party wall or building, unless the other party or parties, being of full age, or if under age, their guardians or representatives, agree and consent thereto, or of any wall fronting on the streets, lanes or alleys, so as to encroach on lines or limits established by the burgesses and assistants aforesaid within the said borough, before the place be viewed and directed by the said regulators, or any two of them, or proceed otherwise than in the manner directed by the said regulators, every such person or persons shall, on conviction, pay a fine not exceeding one hundred dollars, together with costs of prosecution, for the use of the corporation.

[Section IX.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall think him, her or themselves aggrieved by the judgment of the burgesses, or any justice, by virtue of this act, or by the direction or order of the regulators, he, she or they may appeal to the next court of quarter sessions to be holden for the said county, who shall finally adjust and settle the same; and the costs of such appeal shall be paid as the court shall direct.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That before any of the said burgesses or assistants, or other officers shall enter upon the duties of their respective offices, they shall take and subscribe an oath or affirmation of allegiance and fidelity, as by the laws of this commonwealth are in such cases made and provided, together with an oath or armation for the due execution of their respective offices; and every chief burgess so elected or appointed, from year to year as aforesaid, shall, within ten days after his election, take the oath or affirmation before some justice of the peace for the county aforesaid; and all other officers of the borough may either be qualified as aforesaid before the chief burgess, or before any justice of the county.

[Section XI.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the burgesses and assistants of the last year, shall continue to exercise their respective functions for the ensuing year, or until such appointments are legally made, as shall fill up such offices for the remainder of that year, but in order to prevent any neglect of the annual elections, as well as to give opportunity for all the voters to be apprised of the time, it shall be the duty of the burgesses for the time being, or such officer as their future ordinances shall direct, to advertise the same, at least six days before such day of election, and in at least six of the most public places within the said borough.

[Section XII.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That so long as the borough of Frankford shall continue to be and remain a part of the township of Oxford, the powers and duties of the supervisors of the highways, overseers of the poor, and constables therein, shall be the same in every respect as heretofore, anything in this act to the contrary notwithstanding.