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shall be reconsidered, and if approved by two thirds of that council also, it shall be a binding ordinance. In such case, the votes of both councils shall be determined by yeas and nays, and the names of members voting shall be entered on the journals. Every ordinance which the mayor shall not so return within fifteen days, shall take effect as if it had been approved. The mayor may approve ordinances in vacations of councils, and may call special meetings of councils to reconsider ordinances which he does not approve, on three days' notice to each member. In case of his temporary absence or inability to act, the Councils shall appoint a Mayor to serve until he shall resume the duties of his office; and whenever a vacancy shall occur in the office of Mayor by death or otherwise, it shall be the duty of the Select and Common Councils, in joint meeting, forthwith to elect, *viva voce*, a person qualified as aforesaid, to serve as Mayor, who shall continue in office until the Tuesday succeeding the next city election, and until his successor shall have been duly elected and qualified. The Mayor shall receive a salary to be fixed by Councils, which shall not be increased nor diminished during the term for which he shall have been elected. The police officers, policemen and watchmen shall receive the compensations to be fixed by ordinance of said Councils, and it shall be misdemeanor in office for any of them to receive any other compensation or reward, to be followed by dismissal from service.

SECT. 8. The qualified voters of the said city shall on the first Tuesday of May, 1857, and on the first Tuesday in May, in every second year thereafter, elect a Marshal of Police, who shall receive the salary and do and perform all the duties and exercise the powers now enjoyed or conferred upon him by law, except so far as hereby modified, and all such others as may by law or ordinance be enjoined or conferred upon him as Chief of Police, and that throughout the entire limits of said city. He shall execute the orders and warrants of the Mayor and make report to him and have the command of all policemen and watchmen for the preservation of the peace and execution of process, and may suspend them from service and pay, until the decision of the Mayor be obtained. And until such election, the present Marshal of the Police shall continue to hold the office and exercise the powers and perform the duties of Marshal of Police as by this act modified.

SECT. 9. The powers conferred by law on the Police Board of the Police District shall be exercised by the City Councils. They shall fix the whole number of supervisors of highways, policemen and watchmen, for the service of the whole city. The Councilmen for the respective wards shall nominate three times the proportionate number, of the whole number of supervisors, and no more, to the Mayor,

from which nominees the Mayor shall appoint the proper number to be the supervisors, taking one of the nominees of the Councilmen of the respective wards, and in like manner, all vacancies shall be filled. The Councils shall in joint meeting, and by *viva voce* vote, appoint all the heads of departments not elective, and shall provide by ordinance for the appointments of clerks and officers, except the Mayor's clerk, who shall be appointed by the Mayor, and the Marshal's clerk, who shall be appointed by the Marshal—all of whom shall serve for such periods as may be fixed by ordinance, subject to dismissal by the appointing power or superior officer, as such ordinance may provide. The head of each department shall nominate, and by and with the advice and consent of the Select Council, appoint the clerks and officers in his department. The Mayor shall nominate, and by and with the advice and consent of the Select Council, appoint the policemen and watchmen.

SECT. 10. The qualified voters of the said city shall, on the first Tuesday in May, 1855, and until such election, the present City Treasurer shall continue to be the City Treasurer, and on the first Tuesday in May, in every second year thereafter, elect a City Treasurer, to serve for two years from the first Monday of July next succeeding such election. He shall give bond to the city, conditioned for the faithful performance of his duty, in such amount as the City Councils shall direct, and shall, before he enters upon his office, take and subscribe an oath or affirmation, honestly to keep and account for all public moneys and property entrusted to his care; and if such Treasurer shall knowingly violate said oath, he shall be deemed guilty of perjury, and on conviction thereof in the proper court, be sentenced to undergo solitary imprisonment at hard labor in the Eastern Penitentiary, for the term of not less than one nor more than ten years. Any vacancy in said office shall be filled by the City Councils by a *viva voce* vote in joint meeting. No money shall be drawn from the treasury of the city except the same shall have been previously appropriated by Councils to the purpose for which it is drawn; the accounts kept by the said City Treasurer shall exhibit all the receipts and all the expenditures of the city in an intelligible manner, in the form of accounts current, in which the particulars of each item of charge and discharge shall fully and precisely appear. Any citizen may, on the payment of a fee of twelve and a-half cents, to be paid to the said City Treasurer, for the use of the city, inspect the said accounts; and for a further fee of fifty cents, and one cent per line of ten words, to be paid for the use of the city, the Treasurer shall, on request of any citizen, furnish a transcript of any part thereof. It shall be the duty of the Councils of the said city to provide, and said treasurer to pay, on or before the 25th day of July, 1856, and in each year thereafter, into the Treasury of the State, the amount of the State tax assessed within the limits of the said city, deducting all allowances made by law, and said treasurer elected as aforesaid shall, before he enters upon the office, give bond, with sureties to be approved by the judges of the Court of Common Pleas of Philadelphia county, in such sum as they shall direct, conditioned for the safe keeping of and accounting for all moneys received by him for the use of the State; the said treasurer shall keep the public moneys in such place and manner as the City Councils shall direct, and shall verify his cash account at least once every week, to the satisfaction of a standing committee of Councils; and upon the affidavit of a majority of said committee of any default therein, the said treasurer shall be suspended from office until the further action of Councils, and the Court of Common Pleas of Philadelphia county shall, upon said affidavit and cause shown, forthwith issue a writ of sequestration to the Sheriff of the county against such defaulter for the amount of such default, to be levied on all his property, estate and effects, in favor of said city, which writ shall be a lien thereon from the issuing thereof, with a clause of attachment contained therein, directing the Sheriff to arrest the body of such defaulter to answer the said charge on a day certain on which day the said Court shall inquire of the premises and enter judgment thereon as may be just, or in their discretion award an issue to try any disputed facts; and if the said Court upon such hearing shall be satisfied that there is probable cause to believe that such treasurer has committed the crime of perjury as mentioned in this section, it shall be their duty to commit him for trial at the next Court of Quarter Sessions of said county.

SECT. 11. The qualified voters of the said city shall, on the 1st Tuesday in May, 1856, and biennially thereafter on the 1st Tuesday in May, elect one person who shall be denominated receiver of taxes, to serve for two years; and until a receiver of taxes shall be elected and qualified, the treasurer of the county of Philadelphia, elected on the 2d Tuesday in October, 1853, shall perform all the duties and be liable to all the obligations and penalties prescribed by this act for said receiver of taxes. And it shall be lawful for the select and common council to relieve the said treasurer of the county of Philadelphia from the performance of any duties now imposed by law on said treasurer. He shall give bond and be sworn or affirmed to perform his duty in like manner as the city treasurer. He shall collect and receive all taxes and public assessments payable and receivable within the limits of the said city, and for that purpose shall have and exercise all the powers conferred by law in that behalf, and shall have the assistance of the necessary clerks to afford proper facilities to all citizens to pay their taxes at all business hours of the day. It shall be the duty of the city commissioners to place the duplicates of taxes in the possession of the said receiver of taxes as early as practicable in the year for which the taxes shall be assessed. And the said receiver shall make allowance to all tax payers who shall pay their taxes in the year for which they are assessed, at the rate of twelve per cent, per annum from the date of payment until the end of such year. All taxes remaining unpaid on the 1st of January in each year, shall continue a lien upon the real estate upon which they are levied in like manner as if registered in the county commissioner's office under existing laws. In case legal proceedings are commenced, there shall be an additional charge of five per centum upon all sums, and the receiver of taxes shall render each day to the city controller an account of each item of his receipts and daily pay the same into the city treasury. The said receiver shall cause an agent to attend for him at least two days in the month of June and each succeeding month in the year, to receive the taxes owing by persons resident within the wards in which the following places are situated, to wit:—at Germantown, Frankford, Manayunk, Bustleton, Holmesburg, Somerton, Hestonville, Haddington and Paschallville, and give notice of the time and place of attendance in at least two newspapers not less than three times, one of which papers shall be that in or nearest to the ward where the taxes are owing; and the alderman in every ward shall be authorized and required at all times to receive the personal taxes of persons resident therein, for which purpose they shall each be furnished with a tax list of such taxes as early in the year as they can be made out, and not later than the first of June in each year, and such aldermen shall receive therefor ten per centum for receiving and paying over taxes, which they shall do at least once in each month, to the receiver of taxes, or his agent. And each of said aldermen shall, under the penalty of one hundred dollars to the said city, be in attendance at his office for the purpose of receiving the same on the day of any election. The said receiver shall, immediately after the first day of December, annually, give public notice, in at least four of the public newspapers of said city, for ten days, to all persons who shall have omitted to pay their taxes, to pay them before the first day of January; and that if not paid by that time a warrant will issue to collect the same, and it shall be the duty of the receiver to issue his warrants after the fifteenth day of said month of January, directed to any constable of said city or county, commanding him to levy said taxes, with all charges accrued thereon, of any goods or chattels of the delinquent wherever found, and to make sale thereof after advertisement, as in cases of distress for rent, which warrants shall be returnable within thirty days.

Provided, That if any person against whom such taxes shall have been assessed, shall make affidavit that he did not own the premises for which such taxes were assessed at the time they accrued and became a lien thereon, the said taxes shall be collected of the true owner thereof, or by proceeding to sell the premises by execution. And the said receiver of taxes shall furnish certificates of all taxes and claims which are a lien on real estate, and receive therefor twenty-five cents for each certificate, and five cents for each lien and claim certified.

SECT. 12. The qualified voters of the said city shall, on the first Tuesday in June, 1854, and on the 1st Tuesday in May, in every second year thereafter, elect a City Controller, to serve for the term of two years from the first Monday in July next succeeding his election. He shall, before entering upon his office, take and subscribe an oath or affirmation faithfully to discharge the duties thereof; and if he shall knowingly violate said oath or affirmation, he shall be subject to the same penalty as is provided by the tenth section of this act in regard to the City Treasurer. It shall be the duty of the said City Controller to scrutinize, audit and publish, in two or more newspapers, annually, verified by his oath or affirmation, the public accounts of the said city, and of the trusts in their care, exhibiting all the receipts and expenditures of the city, the sources from which the revenues and funds are derived, and in what manner the same have been disbursed, each account to be accompanied by a statement in detail, in separate columns, of the several appropriations made by the City Councils, the amount drawn on each appropriation, and the balance standing to the debit or credit of each such appropriation. He shall cause to be drawn all warrants on the City Treasurer, and shall not suffer any appropriation made by the City Councils to be overdrawn, and shall perform all the duties now enjoined by law on the County Auditor. He shall superintend the fiscal concerns of the city in such manner, and make reports thereon at such times as shall be prescribed by ordinance.

SECT. 13. The qualified voters of the said city shall, on the first Tuesday in June, 1854, and annually thereafter, on the first Tuesday of May, elect one person for City Commissioner, to serve for three years from the Monday next succeeding his election. Provided, That those three who shall first be elected shall not enter upon their duties until the terms of service of the present County Commissioners shall respectively expire; and the present County Commissioners shall serve as such City Commissioners for the periods for which they have been respectively elected County Commissioners. The City Commissioners, under the direction and control of the City Councils, shall be charged with all duties relating to assessors and assessments, to the selection and drawing of jurors, and to elections and election officers, that are now performed by the County Commissioners, and all other duties now performed by the Commissioners of the County, not otherwise provided for in this act. They shall, together with the City Treasurer and Receiver of Taxes, perform the duties of a County Board of revision, according to the laws in force in other counties of this Commonwealth, and hear the appeals of the tax-payers. And they shall correct all irregularities in valuation, both as respects individual cases and wards, and complete the same before the end of the year in which the valuations shall be made for the tax of the

succeeding year. In equalizing the valuation of the property in the several wards, an addition of ten per centum be made to the returns of the assessors for any ward, twenty freeholders of such ward may, by writing, filed within ten days, take an appeal from such decision to the Councils, whose decision thereon shall be final.

SECT. 14. The City Councils shall annually nominate, and the Mayor shall, as hereinbefore provided,

appoint the requisite number of Supervisors of streets and roads for the different Wards, who shall be under the direction and accountable to the Commissioners of Highways, who shall be appointed by the said Councils annually, and whose numbers and duties shall be prescribed by ordinance.

SECT. 15. The Select and Common Councils shall establish a law office, in which shall be deposited and preserved all patents, deeds, wills, leases, mortgages, and other assurances of title, together with all contracts, bonds, notes, official bonds, books, and other evidences of debt belonging to the said city, and all other papers which the said City Councils may direct. The qualified voters of said city shall on the first Tuesday in June, 1854, and on the first Tuesday in May biennially thereafter, elect one person learned in the law to act as Solicitor of said city, whose duties shall be prescribed by ordinance, and who shall be allowed to employ such number of assistants as Councils may prescribe. The said Solicitor shall hold his office for the term of two years, and until his successor shall be duly qualified.

SECT. 16. On the first Tuesday in June, 1854, and on the first Tuesday in May in every year thereafter, until otherwise provided by law or ordinance, the qualified voters of each of the wards of the said city shall elect one citizen, who shall have and possess the qualifications that the members of the Senate are required to possess, to serve as a member of the Board of Health. They shall each take the usual oath of office, and enter upon the duties thereof on the first Monday of July next succeeding their election; the members of the Board of Health elected in the city of Philadelphia on the first Tuesday of June, 1854, shall meet on the morning of the first Monday in July of the same year at ten o'clock, and on the first Monday in July in each year at the same hour, and organize themselves into a Board, and shall elect a President and such other officers as may be necessary for the proper transaction of the business of the said Board; and upon such organization shall thereby supersede the present members and officers of the Board of Health; and thereupon all the estate whatsoever, real, personal and mixed, that shall then be by law or otherwise vested in or in possession of the Board of Health, shall be forthwith vested in the city of Philadelphia, subject to all the trusts, conditions and liabilities, now legally applicable thereto, and all laws of this Commonwealth creating, governing and regulating the Board of Health not inconsistent herewith shall continue in force and operation, and shall govern and regulate the Board of Health of the city of Philadelphia, except as to farmers manuring land and keeping stock in the strictly agricultural districts, as the same may hereafter be altered by law or ordinance; and all sums of money due, payable to, or received by the Board of Health, shall be paid into the city Treasury; and all sums expended by or for the purposes of the Board of Health, shall be paid by the city Treasurer, upon orders drawn under appropriations regularly made by Councils. And upon the same days in the present and succeeding years, the qualified voters of each ward shall elect one person of like qualifications, who shall take the same oath or affirmation, to serve as Prison Inspectors of the county Prison for the same period of time; who shall, on the first Monday in July in the same year, at 10 o'clock A. M., organize themselves as a Board to perform all the duties belonging by law to said office, and upon such organization shall thereby supersede the existing Board of Prison Inspectors.

SECT. 17. On the first Tuesday in June, Anno Domini, 1854, and on the first Tuesday in May, in each year thereafter, the qualified voters of each ward of the said city shall elect two assessors who shall have and possess the qualifications that members of the Senate are required to possess, who, being duly qualified, shall do and perform within their respective wards all the duties that the usages and laws of this Commonwealth now enjoin upon assessors and assistant assessors. Provided, That the qualified voters residing within the limits of the townships of Byberry, Moreland, Delaware, Lower Dublin and Oxford, in the 23d Ward, shall in like manner, elect two assessors; and the qualified voters of the two remaining portions of said Ward, shall in like manner elect two assessors. And at all elections of such assessors each voter shall vote for one assessor, and the two candidates having the highest number of votes shall be elected. The City Commissioners shall, immediately after such election, in each year, issue their precept to the said assessors of the respective wards, requiring them to make out and return, within such time as the said Commissioners shall designate, not later than the first day of September following, a just and perfect list, in such form as the Commissioners shall direct, of all the taxable persons residing within their wards respectively, and all property taxable and exempt by law, with a just valuation of the same; and whenever the assessors of any ward cannot agree upon the valuation of any property, the City Commissioner in office shall be umpire, and decide. The office of assistant assessor within the said city is hereby abolished. The duty of making extra assessments, now enjoined by law upon the officers of election, shall be exclusively performed by the assessors. The assessors of each ward shall meet for that purpose, in their respective wards, on the thirteenth day prior to the second Tuesday of October, annually, and remain in session three days, between the hours of 1 and 10 o'clock P. M., and public notice of the time and place thereof shall be given by the City Commissioners, in two or more daily newspapers of the said city, ten days prior thereto. Each assessor shall return the names of one half of the number of jurors within his ward, required for each year, and the precept of the City Commissioners to the assessors shall conform to this provision. Any assessor who shall receive any reward for returning or omitting to return the name of any person to serve as juror, and any person who shall offer or give such reward shall forfeit the sum of \$100 to the said city, to be recovered before any alderman. Each assessor shall receive an annual sum in lieu of all other compensation, to wit: for the year ending May, Anno Domini, 1856, and for every third year thereafter, the sum of \$100, and for all other years the sum of \$300 per annum.

SECT. 18. On the first Tuesday in June, A. D., 1854, and on the first Tuesday in May in every year thereafter, until otherwise provided by law or ordinance, the qualified voters of each of the wards of the city of Philadelphia shall elect one citizen, who shall have and possess the qualifications that the members of the Senate of this Commonwealth are required to possess, to serve as Guardian of the Poor of the said City. They shall enter upon the duties of their office on the first Monday in July of each year, and shall each take an oath or affirmation, to be administered by any alderman of the said City,