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that he will discharge the duties of the office of Guardian of the Poor truly and impartially, to the best of his ability. *Provided*, That the existing arrangements for the support of the Poor in the boroughs and townships of Manayunk, Roxborough, Germantown, Bristol, Frankford, Whitehall, Oxford, Lower Dublin, Delaware, Moreland and Byberry shall remain and continue until they are changed and altered by the Councils of the City of Philadelphia; and while those arrangements continue, no election shall be held under the provisions of this section for Guardians of the Poor in the twenty-first, twenty-second and twenty-third wards of said City. *Provided*, That in the Districts within the twenty-first, twenty-second and twenty-third wards, where houses for the accommodation of the Poor are provided, no change shall be made without the consent of the qualified voters of the respective Districts containing the respective institutions for support of the poor.

**SECT. 19.** The Guardians of the Poor, elected in June, A. D. 1854, in accordance with the provisions of the preceding section, shall meet at the almshouse, in the City of Philadelphia, at ten o'clock on the morning of the first Monday in July of the same year, and also on the same day and hour yearly thereafter, 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 such board; and upon such organization all the estate whatsoever, real and personal, that shall then be by law or otherwise vested in, or be in possession of the guardians for the relief and employment of the poor of the City of Philadelphia, the District of Southwark, and the Townships of the Northern Liberties and Penn. shall forthwith vest in the City of Philadelphia, subject to all the trusts, conditions and liabilities now legally applicable thereto, and the present guardians and officers of said body shall cease their functions, and the said elective guardians shall become vested with all the powers, faculties, rights, privileges and immunities of the present guardians of the poor, and subject to the performance of the duties thereof, except as hereby or otherwise provided; and all laws of this Commonwealth, creating, governing and regulating the said corporation, shall continue in force and operation and shall govern and regulate the guardians of the poor of the City of Philadelphia, except 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 guardians of the poor, shall be paid into the City Treasury, and all sums expended by or for the purposes of the board of guardians of the poor, shall be paid by the City Treasurer upon orders drawn under appropriations regularly made by Councils.

**SECT. 20.** On the first Tuesday in June, 1851, the qualified voters of each of the wards of the city of Philadelphia, except the twenty-first, twenty-second, twenty-third and twenty-fourth wards, shall elect twelve citizens qualified to serve as members of the Senate of this Commonwealth, four of whom shall be elected to serve for one year, four for two years, and four for three years, as Directors of Public Schools; and on the first Tuesday in May in each year thereafter, the qualified voters of each of the said wards shall elect four citizens of like qualifications to serve as Directors of Public Schools for three years. They shall enter upon the duties of their office on the first Monday in July next succeeding their election. At the first election held under this act, each of the qualified voters of said ward shall vote for nine Directors, and the twelve highest shall be elected, three to serve for one year, three for two years, and three for three years, and at future elections each qualified voter shall vote for three Directors and the four highest shall be elected. *Provided*, That the qualified voters within the twenty-first, twenty-second, twenty-third, and twenty-fourth wards shall elect, in the same election districts as heretofore, the number of School Directors as are now by law allowed, except the territory included in the boroughs of Frankford and Whitehall, which shall be separated from the township of Oxford in the election of School Directors. And the qualified voters of the said boroughs of Frankford and Whitehall shall elect three Directors of the Public Schools; and the qualified voters of the township of Oxford shall elect three Directors, and the qualified voters of the territory included within the bounds of the township of the unincorporated Northern Liberties and the boroughs of Aramingo and Bridesburg shall elect three Directors of the Public Schools.

**SECT. 21.** For public school purposes, each ward shall constitute a school section, and the board of controllers shall have full power to apportion the school houses and distribute the duties of the directors of the schools to and for all or any of the wards of the city in such manner as the board of controllers shall direct. The directors of each section shall meet and organize on the first Monday of July next succeeding their election; and upon such organization, shall have and possess all the powers, rights, privileges, and immunities, that shall then be by law or otherwise vested in the school directors of the several sections of the first school district, and from and after such organization, all the rights, privileges and immunities of the school directors last named, shall cease and terminate, and all laws of this Commonwealth regulating and governing the school directors last named, shall cease to operate with regard to them, but shall continue in full force and

operation for regulating and governing the school directors elected and organized in accordance with the provisions of this act. In case of any vacancy occurring in either of the sectional boards of school directors, by death, resignation, or otherwise, such vacancy shall be filled by the remaining directors of the ward wherein such vacancy exists, and the director chosen to fill such vacancy being properly qualified, shall continue to serve for and during the time the director whose vacancy he fills could have served, and no longer.

**SECT. 22.** The School Directors of each ward of the city of Philadelphia for the ensuing year shall, on the third Tuesday of June of each year and every year, elect one of their own number a controller to serve for one year, and shall give him a certificate of such election; the controllers thus elected shall each be sworn or affirmed that he will discharge the duties of the office of controller of public schools with fidelity, to the best of his ability; and they shall enter upon the duties of their office on the first Monday in July next succeeding their election. The controllers elected in the year 1851 shall meet at ten o'clock, A. M., on the first Monday in July of that year, in the room of the controllers of public schools, in the city of Philadelphia, and shall then and there organize themselves into a board, and shall elect a President and such other officers as they may deem necessary to serve for the term of one year; and upon such organization, shall have the name and style of The Controllers of Public Schools of the First School District of Pennsylvania. And on the first Monday of July in each year thereafter, the controllers shall meet as aforesaid, and shall take the oath of office and enter upon the duties thereof. The president and other officers of the board shall be elected annually on the first Monday in July.

**SECT. 23.** Immediately upon the organization of the said board of controllers, all property, real and personal, all trusts and trust funds, and all estate, rights, privileges and immunities whatsoever that are, or shall be by law or otherwise vested in, owned, possessed or enjoyed by, or that in anywise appertain to the corporation created by the Act of Assembly, passed April 16, A. D. 1845, entitled an act relating to the controllers of the public schools of the city and county of Philadelphia, shall be vested in and be held, possessed and enjoyed by the city of Philadelphia, subject to all the trusts, conditions and liabilities now legally applicable thereto, and all sums of money due, payable to or received by the board of controllers, shall be paid into the city treasury, and all sums expended by or for the purposes of the board of controllers, shall be paid by the city treasurer, upon orders drawn under appropriations regularly made by councils.

**SECT. 24.** There shall be two aldermen in each of the wards of the city of Philadelphia; those aldermen and justices of the peace who are in office at the time of the passage of this act, shall continue to reside and hold their offices within the limits of the ward, township or borough in which they were originally elected. In any ward of the said city where there shall be more than two aldermen or justices of the peace residing and holding their offices at the time of the passage of this act, the number thereof shall be reduced to two as their commissions shall respectively expire; unless the qualified voters of such ward shall vote to increase the number thereof. The aldermen of the said city shall be elected in each ward by the qualified voters thereof, on the first Tuesday in May, in accordance with the provisions of the act of Assembly of June 21, A. D. 1839, entitled an act providing for the election of aldermen and justices of the peace, and the acts supplementary thereto. It shall be lawful for Councils to designate and appoint as many of the aldermen of the said city as the public welfare may require to be police or committing magistrates, who shall receive such compensation as Councils may provide and pay, and it shall not be lawful for any alderman in said city to take fees in criminal cases; but nothing herein contained shall be taken to impair the powers or diminish the duty of any and all aldermen and constables to be conservators of the peace and to execute the criminal laws of the Commonwealth; *Provided*, That nothing herein contained shall be so construed as to prohibit any alderman now in commission from becoming a candidate for election to that office.

**SECT. 25.** Until otherwise provided by law, in all elections for members of Congress, the qualified voters of the said city shall continue to vote in their respective congressional districts, as now by law established, and if this act had not been passed; and if any election division shall happen to comprise portions of two congressional districts, an additional and separate box shall be provided for the election of officers of such division. Until otherwise provided by law, in accordance with the provisions of the Constitution, the existing districts in the city and county of Philadelphia shall continue without change for the election of Senators and Representatives to the Legislature of Pennsylvania, and thereafter the said Representatives may be chosen in separate election districts, as they shall be established by law.

**SECT. 26.** On the first Tuesday in June, A. D. 1851, and on the first Tuesday in May in each year thereafter, the qualified voters of each ward of the city of Philadelphia shall elect two constables; they shall be qualified as the laws of this Commonwealth require such officers to be, and shall, upon entering the requisite security, be commissioned by the Court of Quarter Sessions of the county of Philadelphia; they shall be under and subject to the same legal penalties, do and perform all duties that the usages and laws of this Commonwealth enjoin upon such officers; *Provided*, That the qualified voters within the twenty-first, twenty-second, twenty-third and twenty-fourth wards shall elect the same number of constables as are now by law allowed; and the constables in said wards shall be elected by separate districts, each district embracing the qualified voters of said wards respectively residing within the bounds of the present districts for electing constables, in like manner as if this act had not been passed.

**SECT. 27.** The Councils of said city shall appoint a competent number of skillful surveyors to perform the duties required by law; the duties of such officers to extend respectively over convenient limits, to be prescribed by said Councils, and said officers, shall keep a record of their respective regulations for their use, and as the property of said city, and receive such compensation for their services as may be fixed by ordinance, and shall continue in office during good behaviour, and on the termination of their official service, the records kept for public use shall be delivered up to their successors in office. And such number of said surveyors and regulators shall be organized into a board under a head for such purposes relating to surveys, the planning of the city, the building of bridges, the construction of sewers and grading of highways, as councils may declare by ordinance, which board may hear by appeal; and if neither party before a hearing shall have appealed to court, shall finally decide upon all questions of party lines, the position and thickness of party walls, of the condemnation thereof for insufficiency, and of the proper structure of new buildings and the party walls thereof, so as to secure the safety and health of the citizens under the statutes in force in said city. *Provided*, That nothing herein contained shall alter or interfere with any survey or regulation made or directed to be made under the several laws of this Commonwealth of any portion of the county of Philadelphia, but the same shall be completed, or, if already confirmed, shall remain unalterable, as therein provided, unless said alterations shall be ordered by a resolution of said Councils, and approved by the Court of Quarter Sessions, upon public notice previously given for the space of thirty days, in at least two of the daily newspapers of the said city, until otherwise provided by ordinance. *And provided further*, that in any alteration that may be made, of the regulations of any portion of the city, in conformity with the provisions of this section, whereby damage may ensue to private property, compensation shall be made for such damage, to be ascertained and paid by law, as in case of damage for opening streets. All official acts and proceedings of the surveyors and regulators shall be returned to the head of the said Board to remain in his office, from which certified copies shall be made and furnished on request, in the same manner, and for the same compensation as copies are furnished from the land department of this Commonwealth.

**SECT. 28.** The Select and Common Councils shall elect in joint meeting, by viva voce vote, at the last stated meeting in the month of September next, sixteen citizens having proper knowledge of the duties for port wardens, eight of them to serve for one year, and eight of them for two years, from the first day of June, Anno Domini, 1855; and thereafter, on or before the last stated meeting of Councils in May, in each year, elect eight such citizens to serve for two years as port wardens from the first day of June then next succeeding, who, together with the master warden, shall do and perform the duties which

do now, or may by law or ordinance hereafter be done by the port wardens. It shall be the duty of the said Councils, after the requisite surveys and soundings shall have been made, to fix the lines beyond which no wharf or pier shall be constructed, and to keep the navigable waters within said city forever open and free from obstructions. The City Councils shall authorize the construction of wharves upon a plan and scale to meet the demands of commerce, keep the same and the avenues leading thereto open and free from obstruction; and shall, moreover, provide from time to time for the more convenient selection, appointment, regulation and compensation of pilots navigating to and from the said city, and for the greater security and better disposition of vessels within the port of the same, and they may enact ordinances for the purposes in this section mentioned.

**SECT. 29.** It shall be the duty of the Sheriff of Philadelphia city and county to give notice of all elections held under the provisions of this act, designating the officers to be elected, and the time and place of such election; such notice shall be by proclamation and advertisement in at least two daily newspapers, published in the city of Philadelphia, at least twenty and not more than thirty days prior to every election, and the expenses of such advertising shall be paid out of the treasury of the city of Philadelphia. The County Commissioners of the county of Philadelphia shall immediately, prior to the first election in the city of Philadelphia, and the City Commissioners thereafter, shall have the respective places appointed for holding such elections, put in convenient and proper order for holding and conducting the same, shall furnish to the election officers of each division the necessary blanks, stationery, et cetera, and a list of the taxable inhabitants of such division, and shall generally do and perform such duties appertaining to elections as they would be required by law or usage to perform, had the elections or the election districts of the said city not been changed or altered. *Provided*, That the Sheriff and the other officers shall do and perform all the duties in relation to the elections under this law which are enjoined upon them by the general election laws now in force, unless otherwise provided by the act.

**SECT. 30.** The general, special, municipal, and all other, except military, elections by the qualified voters of the city of Philadelphia shall be held in the respective election divisions of the wards of said city; the said election shall open at or before eight o'clock in the morning, and close at eight o'clock in the evening, and the tickets to be voted at the municipal elections in the city of Philadelphia shall be on separate pieces of paper, on which shall be written or printed the name of the office to be filled, and immediately under the name of the office, the name or names of the person or persons voted for to fill such office; in all general and special elections within the city of Philadelphia, each ward of the said city shall be an election district, and have a return judge, and the return judges of the city of Philadelphia shall meet at the State House in said city.

**SECT. 31.** The election on the first Tuesday in June, Anno Domini, 1854, shall be held and conducted by election officers, as follows:—Each and every set of officers, that is, the judge and two inspectors, who shall have been respectively elected at the same poll, and who shall reside within the several wards respectively, as fixed by the second section of this act, shall hold and conduct the election at one of the election divisions of such ward; and if it shall so happen that all the election officers who shall have been elected at the same poll, shall not reside within the bounds of any one of the wards fixed by the second section of this act, then and in that case such set of officers shall act as aforesaid in the ward in which a majority of such officers shall reside. The said officers by sets, and not individually, shall, in case of difficulty or misunderstanding, determine by lot the election division in which they shall act. The Court of Common Pleas of Philadelphia county is hereby vested with power to settle summarily any question that may arise concerning the officers to conduct said elections, and also to direct according to the true intent and spirit of this act, which set of election officers shall act as aforesaid in any case or exigency which may arise or exist, not provided for by this act; and any vacancy that shall exist and continue for half an hour after the earliest time fixed by law for opening the polls, shall be filled in the manner now provided by law; and on the first Tuesday in June aforesaid, and on the first Tuesday in May in each year thereafter, the qualified voters of each of said election divisions shall elect, in the manner prescribed by law, one person to act as judge, and two persons to serve as inspectors of elections for one year, each voter, however, to vote for one inspector.

**SECT. 32.** It shall be the duty of the judge of election in every election division of said city at every general, municipal and special election, to make out and subscribe on the night of such election, a certificate of all the votes given at such election division for every office voted thereat; and it shall be the duty of the judge to deliver the same to the Prothonotary of the Court of Common Pleas on the day succeeding such election, before noon of that day, which certificates shall be open to the inspection of any citizen; and any judge who shall fail to deliver such certificate as aforesaid, to the said Prothonotary, shall forfeit fifty dollars. And the said Prothonotary shall, on the second day after such election, make out and deliver to the sheriff of the said county a certified list of the judges of each and every division from which such certificate shall not have been received as aforesaid, with a precept to the said sheriff to levy and collect the said penalty from the said judges as is now practiced and allowed in cases of fines imposed upon defaulting jurors, provided that the said court may, upon good cause shown, remit such fines. And in case any such certificate shall not have been placed in the office aforesaid, by noon of the day aforesaid, the said court may, on application of any citizen, issue an attachment against the judge or judges in default, to compel the production and filing of such certificate.

**SECT. 33.** The municipal elections of the city of Philadelphia, shall be conducted in the manner required by the act of Assembly of July 2d, Anno Domini, 1839, entitled An act relating to the elections of this Commonwealth, and its supplements. As soon as the votes given at each division are counted, duplicate returns thereof shall be made out by the officers of such division; one copy shall be deposited in one of the ballot-boxes as required by section seventy-four of the act aforesaid, the other copy shall be used for the purpose of making up full returns of the ward; and the said last copy, together with a full and complete return of the votes given in such ward, signed by the judges thereof, shall be filed by one of the judges in the office of the Prothonotary of the Court of Common Pleas of Philadelphia county as hereinafter provided.

**SECT. 34.** The returns of all municipal elections in the city of Philadelphia, and the certificates to be given to persons elected, shall be made out in the following manner, to wit: Two complete copies of