

they are hereby authorized and empowered to grant, demise and to farm let, to any person or persons with whom they can agree, the tolls and duties, which they by virtue of the act incorporating them, or by any supplementary act, are authorized to demand and receive for passage in, upon and along the said road, at any gate or turnpike over or by the side of the same road, or any part of the same, for any term not exceeding seven years, under such rents and convenient reservations and conditions, as the said president and managers, at any meeting of their board, shall agree upon, which grants and demises shall have the same construction, force and effect, as other the like grants and demises made between private persons have and receive at law.

Passed April 11, 1799. Recorded L. B. No. 7, p. 14, etc.

---

### CHAPTER MMXCIII.

---

AN ACT TO AUTHORIZE THE GOVERNOR TO PROCURE ON LOAN THE SUM OF ONE HUNDRED THOUSAND DOLLARS, TO SUSPEND FOR A LIMITED TIME THE ACT, ENTITLED, "AN ACT TO PROVIDE ARMS FOR THE USE OF THIS COMMONWEALTH," PASSED THE TWENTY-EIGHTH DAY OF MARCH, ONE THOUSAND SEVEN HUNDRED AND NINETY-SEVEN:<sup>1</sup> FURTHER TO PROVIDE FOR THE SETTLEMENT OF THE ACCOUNTS OF THE BRIGADE INSPECTORS, TO MAKE CERTAIN APPROPRIATIONS, AND FOR OTHER PURPOSES.

[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 governor be, and he is hereby, authorized to borrow from the Bank of Pennsylvania the sum of one hundred thousand dollars, on the terms and conditions following, that is to say: fifty thousand dollars of the said sum shall be forthwith placed to the credit of the state on the books of the bank, and the remainder thereof at any time within one year from the passing of this act, in one entire sum,

and when the same shall be so placed, it shall bear an interest after the rate of six per cent. per annum, but no such credit shall be given except for the said first mentioned fifty thousand dollars, unless on thirty days' notice by the governor to the president and directors of the bank; and for the payment of the interest on the sum which may be borrowed, in virtue of this act, it shall be lawful for the president and directors of the said bank to retain, out of the dividends which shall be due to this commonwealth, half yearly, so much as will [dis]charge the interest, at the rate aforesaid, which may have then accrued; and the said principal sum, or so much thereof as may be borrowed as aforesaid, shall be repaid within two years from and after the respective instalments shall have been placed to the credit of the commonwealth as aforesaid, in such proportions as may be convenient to the commonwealth, provided the same be not repaid in sums less than twenty thousand dollars each, nor until thirty days' previous notice shall have been given to the president and directors of the bank of the intention of such payment; and for effectually securing the repayment of the said principal sum of one hundred thousand dollars, or so much thereof as shall be borrowed as aforesaid, a number of shares in the said bank, the property of this commonwealth, equal to the sum which may be so borrowed, estimating the said shares at four hundred dollars each, are hereby pledged.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the act, entitled, "An act to provide arms for the use of this commonwealth," passed the twenty-eight day of March, one thousand seven hundred and ninety-seven,<sup>2</sup> be, and the same is hereby, suspended for the term of two years from and after the passing of this act. Provided always, That nothing herein contained shall invalidate any contract or contracts already made by the governor with any person or persons, by virtue of the above recited act.

(Section III, P. L.) And whereas by the act, entitled, "An act to provide a more effectual method for settling the accounts of the several brigade inspectors within this commonwealth,"

passed the fourth day of April, one thousand seven hundred and ninety-eight,<sup>3</sup> it is declared that the auditors appointed in pursuance thereof shall, within four months thereafter, settle the accounts of the several brigade inspectors within this commonwealth, and make report of their proceedings to the courts of common pleas of their respective counties, and that the prothonotaries of the several counties should, after the lapse of sixty days from the making such report, make return thereof to the state treasurer. And whereas the provisions of the said act have not been found effectual, notwithstanding there is reason to believe that considerable sums have been received by, and large balances are due from, those officers, and it is of importance that they be brought to an account.

[Section III.] Be it therefore enacted by the authority aforesaid, That the comptroller general be, and he is hereby, authorized and required to demand of the prothonotaries and auditors to make report of their proceedings within four months from the passing of this act, and if report be not made within that time, then and in that case, the said comptroller shall thenceforth proceed to compel, by all lawful ways and means, the said auditors to report the business, as far as they have proceeded therein, and shall have the same power to compel such of the brigade inspectors, as have not settled their accounts, to make a settlement thereof, as he has in the case of county treasurers, and shall, with the assistance of the register general, settle and adjust such of the said accounts, as shall not have been settled in pursuance of the said last recited act.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That for the payment of the following debts and expenses of government, there be appropriated, out of the funds for the support of government, the sum of seven thousand six hundred and forty-one dollars and four cents, that is to say, for the necessary clerk hire, printing, stationery, attendants, expresses, fuel, and other contingent expenses of the executive department, for one year from the passing of this act, including all balances which former appropriations are not

<sup>2</sup>Chapter 1940.

<sup>3</sup>Chapter 2002.

sufficient to discharge, the sum of three thousand five hundred dollars; for the payment and discharge of certain certificates issued under the authority of the act, entitled, "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," passed the fourth day of April, one thousand seven hundred and ninety-two,<sup>4</sup> the sum of one thousand six hundred dollars; for the payment of clerks, to be employed in the office of the comptroller general, in settling the account of the late comptroller general and state treasurer, the sum of one thousand five hundred dollars; for the payment of clerks, to be employed in the office of the register general, in settling the same accounts, the sum of nine hundred dollars; for the payment of Robert Haydock and company, for glazing and painting done to the state house during the year one thousand seven hundred and ninety-eight, the sum of twenty-two dollars and seventy-two cents; for the payment of Joseph Gales, for newspapers furnished from the twelfth of September, one thousand seven hundred and ninety-seven, to the twelfth of September, one thousand seven hundred and ninety-eight, the sum of four dollars; for the payment of Joseph Fry, for amount paid by him for work done in the state house yard, the sum of fourteen dollars and thirty-two cents; and for the payment of such incidental expenses as may occur during the present year in keeping the state house and yard in repair, the sum of one hundred dollars.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the governor shall lay before the next general assembly a particular account of the disbursements made on account of the expenses of the executive department.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all warrants to be drawn on the treasury by the governor, for the sums of money appropriated by this act, shall be under the same regulations and restrictions as are directed in other cases.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the comptroller general and register general shall, in the first week of the session of the next

<sup>4</sup>Chapter 1627.

general assembly, lay a particular and separate statement before each house, of the progress they have made in the settlement of the accounts of the late comptroller general and state treasurers, and also of the progress they have made in bringing to an account the auditors appointed to settle with the brigade inspectors; and if any difficulties arise in performing their respective duties, they shall, at the same time, make report to each house of such difficulties, that legislative measures may be taken to remove them.

Passed April 11, 1799. Recorded L. B. No. 7, p. 35, etc.

---

#### CHAPTER MMXCIV.

---

AN ACT FOR ESTABLISHING AN HEALTH OFFICE, FOR SECURING THE CITY AND PORT OF PHILADELPHIA FROM THE INTRODUCTION OF PESTILENTIAL AND CONTAGIOUS DISEASES.

Whereas the laws of this commonwealth, for preventing the introduction of pestilential or contagious diseases into the port of Philadelphia, have been found by experience defective.

[Section I.]. (Section I, P. L.) Be it therefore 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 a board of health shall be appointed, as hereinafter directed, who are hereby erected into a body corporate, in deed and in law, by the name, style and title of "The Board of Health," who shall have perpetual succession, and enjoy all and every the rights, liberties, privileges, powers, authorities and immunities incident or belonging to a corporation or body politic; and shall, moreover, have and exercise the powers and authorities hereinafter mentioned, that is to say, the present board of managers of the Marine and City hospitals shall nominate twenty-four persons, fourteen of whom shall be resident in the city of Philadelphia, four within the Northern