

Where middle piers are not to be erected without the consent of the wardens.

dens of the port of Philadelphia in writing; and the said wardens shall on a view of the premises, determine whether the said middle pier shall be erected, or that a platform shall be laid on piles, from the outer pier to the wharf already erected, as the one or other shall be most conformable to the meaning, and intent of this act.

Prohibition of erecting wharves in the District of Southwark, without the consent of the wardens &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, it shall be the duty of every person, intending to erect a pier or wharf, in the river Delaware, in the district of Southwark, to exhibit a plan of the same to the wardens of the port of Philadelphia; and if the plan so exhibited is on examination, found to be conformable to the provisions of this act, the wardens shall in writing, signify their assent to the same; and if any person or persons shall hereafter erect or cause to be erected, or if any master workman or undertaker, shall be aiding or assisting, in erecting or sinking any pier or wharf contrary to the provisions of this act, he she or they on conviction thereof, shall forfeit and pay to the commissioners of the district of Southwark; for the use of paving the streets of the said district, the sum of four thousand dollars, to be by them recovered in any court of record in the county of Philadelphia: *Provided always,* That any thing contained in this section, shall not extend to any wharf or pier which shall be sunk west of Wharf-street.

Penalty for so doing or assisting therein.

To what use the penalty to be applied.

Proviso as to wharves west of Wharf-street.

SIMON SNYDER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS MCKEAN.

CHAPTER CVII.

*An ACT vacating a part of the old York road, and authorizing the court of quarter sessions of Montgomery county to direct a new road to be laid out in place thereof.*

WHEREAS it has been represented to the legislature, that in pursuance of an order of the Governor and council of the then province of Pennsylvania, passed in the year one thousand seven hundred and twelve, a provincial or state road was laid out from John Reading's landing on the river Delaware, to the city of Philadelphia: That the said commissioners did not direct of what width the said road, commonly called the old York road, should be; and that the persons employed to open the same did not do it upon the ground intended by the com-

missioners ; and for want of certain and permanent marks at the different angles of the road as laid out by the commissioners, and from the lapse of time, it is not now practicable to ascertain with certainty where the road was originally laid : That in consequence of this, disputes have arisen among the persons holding lands on the said road, involving the peace and harmony of the neighbourhood : *And whereas*, doubts have arisen as to the power of the ordinary courts of the proper county to remedy those evils, inasmuch as the said road is considered as a state road : For remedy whereof,

SECTION I. *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 so much of the road commonly called the old York road, as lies between the termination of the Cheltenham and Willow Grove turnpike, and the south-west boundary of Bucks county, be, and the same is hereby vacated ; but the same shall nevertheless be, and remain, and be used and occupied as it now is, for and during the space of one year from the passing of this act; and if any person or persons within the time aforesaid shall, by buildings or otherwise, encroach upon the said road as it is now used and known, he or they shall be liable to indictment for the same, and the court after judgment may direct the nuisance forthwith to be removed.

Part of the old York road vacated.

But to remain open for the space of one year. Encroachments on the road for that time made punishable.

SECT. II. *And be it further enacted by the authority aforesaid,* That the court of quarter sessions of Montgomery county, is hereby authorized and required immediately after the passing of this act, to appoint a jury of twelve men to view the said road, no one of which jury shall be owners of real estate adjoining the said road ; and if the said jury or any seven of them shall be of opinion that the said road as it now runs, and is known and occupied, is of sufficient width and of proper courses in the said county, they shall cause the same to be accurately surveyed, and some permanent mark to be placed on the west side of the road at its commencement and termination, and on the same side at the different angles thereof; and make return of their proceedings to the court aforesaid ; and if the court approve and confirm the same, it shall thereafter be and remain a county road, subject to the same regulations as to the repairs thereof, and remedies for nuisances as any other county road in this commonwealth : *Provided always,* That the expence incurred in examining and laying out the said road shall be discharged by the county of Montgomery.

How a jury is to be appointed to view the road.

Who are disqualified, &c.

SECT. III *And be it further enacted by the authority aforesaid,* That if the said viewers or any seven of them shall be of opinion that the said road, as it is now occupied and known, requires to be increased in width or altered in its courses, the said jury or any seven of them are authorized to increase the width and alter

In case a majority of the viewers, should not approve of the width and courses,

to alter the same and make returns of their proceedings, saving the rights of indemnification. And if the court confirm the same to be a county road.

the courses of the said road, and make return of their proceedings to the court aforesaid, saving to all parties their right of indemnification, agreeably to the provisions of the act, entitled "An act for laying out, making and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads." And if the court approve and confirm the report of the jury aforesaid, it shall be and remain a county road, subject to the same regulations as other county roads within this commonwealth.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the seventh day of April, in the year one thousand eight hundred and seven.

THOMAS M'KEAN.

---

## CHAPTER CVIII.

*An ACT vesting a title to sixty acres of land in Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of a congregation composed of Presbyterians and Lutherans.*

**W**HEREAS it has by petition been represented to the legislature by the members of a congregation composed of Presbyterians and Lutherans, that the said congregation have erected a house for public worship and a school-house, on a tract of land containing about sixty acres, situate in Mahonoy township, in Northumberland county, which tract is the property of the commonwealth; that the land is of inferior quality and but little improved, and the congregation but few in number, and not wealthy; they therefore have prayed the legislature to vest a title in certain trustees and their successors, for the benefit of the said congregation, in enabling them to promote piety and diffuse useful learning: *And whereas*, it is just and consistent with a generous policy which ought to be pursued in a republican government to aid their less wealthy citizens in establishing useful institutions: Therefore,

Sixty acres of land in Northumberland county, granted to trustees for the use and benefit of the congregation of Mahonoy township, composed of Presbyterians and Lutherans.

**SECTION I.** *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 officers of the land office are hereby authorized and required to issue a warrant, and complete a title on receiving the usual office fees, for sixty acres of land situate in Mahonoy township, in Northumberland county, and adjoining lands of Adam Campbell, Nicholas Bob, Anthony Dockey and Jacob Yeagley,