

the specified articles therein mentioned, for the support of government, and for other purposes therein mentioned," passed the twentieth day of March last : 1783.

SECT. III. *Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That the act, entitled "An act for guarding and defending the navigation in the bay and river Delaware, and for other purposes therein mentioned," and the act, entitled "An act for raising an impost on goods, wares and merchandise, imported or brought into this state by land," and so much of the act, entitled "An act for raising and collecting of money on the specified articles therein mentioned, for the support of government, and for other purposes therein mentioned," as is contained in the seventh, eighth and ninth sections thereof, be, and the same are hereby, specially and severally repealed, made null and void, and of no effect. (o)

Former acts repealed.

SECT. VI. *And be it further enacted by the authority aforesaid,* That whatever sum or sums of money now are in the hands of the Naval Officer, or for which he hath taken bonds or other securities, or which may come into his hands by virtue or on account of the acts aforesaid, shall be, and hereby are, appropriated to such uses, as the Assembly may by their vote direct and appoint.

Appropriation of monies, &c. directed.

Passed 17th September, 1783.—Recorded in Law Book No. II. pa. 146.

(o) For the laws which are repealed by this act, see ante. chap. 954, 987, 1007.—But now see the constitution and laws of the United States. (Note to former edition.)

## CHAPTER MXXIV.

*An ACT to ratify and confirm an agreement, made between commissioners appointed by the legislature of the state of New-Jersey, and commissioners appointed by the legislature of the state of Pennsylvania, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same. (p)*

SECT. I. WHEREAS commissioners duly appointed on the part of the state of New-Jersey, and commissioners duly appointed on the part of the state of Pennsylvania, for the purpose of settling the jurisdiction of the river Delaware, and islands within the same, have executed two instruments of an agreement for the purposes aforesaid, one for each state, which agreement is contained in the following words :

An agreement made and concluded between George Bryan, George Gray, William Bingham, commissioners appointed by the legislature of the state of Pennsylvania, for settling the jurisdiction of the river Delaware, and islands within the same ; and Abraham

(p) The islands belonging to Pennsylvania were distributed, and annexed to the jurisdiction of the contiguous counties, by an act of the 25th of September, 1786. (Note to former edition.)

1783. **Clark Joseph Cooper, and Thomas Henderson, commissioners** appointed by the legislature of the state of New-Jersey, for the like purpose.

**WHEREAS** inconveniences and mischiefs have arisen, and hereafter may arise, from the uncertainty of jurisdiction within and on the river Delaware: Therefore, to prevent the same, and in order that law and justice may in all cases hereafter be executed and take effect within and upon the said river, from shore to shore, in all parts and places thereof, where the same river is the boundary between the said states, the said commissioners do agree and establish, for and in behalf of their respective states, in manner following; that is to say,

Recital of an agreement between the commissioners of Pennsylvania and New-Jersey, respecting the jurisdiction over islands in the Delaware.

*First.* It is declared that the river Delaware, from the Station-Point or north-west corner of New-Jersey, northerly, to the place upon the said river where the circular boundary of the state of Delaware toucheth upon the same, in the whole length and breadth thereof, is and shall continue to be and remain a common highway, equally free and open for the use, benefit and advantage of the said contracting parties. *Provided nevertheless,* That each of the legislatures of said states shall hold and exercise the right of regulating and guarding the fisheries on the said river Delaware, annexed to their respective shores, in such manner, that the said fisheries may not be unnecessarily interrupted during the season for catching shad, by vessels riding at anchor on the fishing ground, or by persons fishing under claim of a common right on said river.

*Secondly.* That each state shall enjoy and exercise a concurrent jurisdiction within and upon the water, and not upon the dry land, between the shores of said river, but in such sort, nevertheless, that every ship and other vessel, while riding at anchor before any city or town in either state, where she hath last laded or unladed, or where it is intended she shall first thereafter either lade or unlade, shall be considered exclusively within the jurisdiction of such state; and every vessel fastened to or aground on the shore of either state, shall in like manner be considered, exclusively, within the jurisdiction of such state, but that all capital and other offences, trespasses or damages, committed on said river, the juridical investigation and determination thereof shall be exclusively vested in the state, wherein the offender or person charged with such offence shall be first apprehended, arrested or prosecuted.

*Thirdly.* That all islands, islets, and dry lands, within the bed and between the shores of the said river, and between the said Station-Point northerly and the falls of Trenton southerly, shall as to jurisdiction, be hereafter deemed and considered as parts and parcels of the state to which such insulated dry land doth lie nearest, at the time of making and executing this agreement; and that from said falls of Trenton to the state of Delaware, southerly, Biles's island, near Trenton, Wind-Mill island, opposite to Philadelphia, League island, Mud or Fort island, Hog island, and Little Tinnicum islands, shall be annexed to the state of Pennsylvania, and considered as parts and parcels thereof; and that Biddle's or Newbold's island, Burlington island, Petty's island, Red Bank island, Hermanus Helm's island, Chester island, and Shievers's island, shall be annexed to the

state of New-Jersey, and considered as parts and parcels thereof; and that all other islands within the said river between the falls of Trenton and the state of Delaware, which are not herein before particularly enumerated, shall be hereafter deemed and considered as parts and parcels of the state, which such island doth lie nearest at the date hereof; and that all islands which may hereafter be formed within the said river, shall be classed and annexed to the jurisdiction of either state, according to the same principle. 1783.

*Fourthly.* That this present agreement, and every article and clause therein contained, shall be suspended, and take no effect, until each of the legislatures of the state of Pennsylvania and New-Jersey, respectively, shall have passed laws approving of and ratifying the same, which being done, the said agreement shall then be considered as a joint compact between the said states and the citizens thereof, respectively, and be for ever thereafter irrevocable by either of the said contracting states, without the concurrence of the other.

In witness whereof, we, the commissioners of the aforesaid states, have set our hands and seals to two instruments of the agreement, one for each state, dated this twenty-sixth day of April, Anno Domini one thousand seven hundred and eighty-three.

Abraham Clark,	(L. S.)	George Bryan,	(L. S.)
Joseph Cooper,	(L. S.)	George Gray,	(L. S.)
Thomas Henderson,	(L. S.)	William Bingham,	(L. S.)

SECT. II. *Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania in General Assembly met, and by the authority of the same,* That the aforesaid agreement, and every article, clause, matter and thing, therein contained, shall be, and the same is hereby, fully and amply ratified and confirmed, and shall be, and ever hereafter remain, in force, agreeably to the true tenor and extent thereof. The agreement ratified and confirmed.

Passed 20th September, 1783.—Recorded in Law Book No. II. page 151.

## CHAPTER MXXIX.

*A further SUPPLEMENT to an act, entitled "An act for acknowledging and recording of deeds." (q)*

SECT. I. WHEREAS, in and by an act of General Assembly of the late province of Pennsylvania, now in force within this commonwealth, entitled "An act for acknowledging and recording of

(q) See the original act, and various other acts respecting the acknowledging and recording of deeds, passed the 24th of February, 1770, by which the conveyances executed by femes covert are regulated; the 18th of March, 1775, by which additional general provisions are made on the subject; the 8th of April, 1785, by which acknowledgments and probates of deeds of lands in any part of the state, made before the Presidents of the courts of Common Pleas, are declared to be as valid and effectual, as if done before a Judge of the Supreme Court; and the act of the 30th of September, 1791, by

which the Mayor and Recorder of the city of Philadelphia, the Master of the Rolls, and the Justices of the Peace, are empowered to take proofs or acknowledgments of all instruments of writing, in the same manner as Justices of the Peace, and Justices of the Common Pleas, might or could have done, by virtue of the several acts of the 28th of May, 1770, the 18th of March, 1775, and the 24th of February, 1779. For a particular reference to all the laws for regulating the acknowledgment and recording of deeds, see chap. 208, and the note there subjoined, ante. vol. I. page 94. (*Note to former edition.*)