

## CHAPTER MCCCXLVI.

1789.

*An ACT to establish and confirm the boundary line between this state and the state of New-York.*

SECT. I. WHEREAS the honourable John Penn Esquire, then Governor of the late province, now state of Pennsylvania, did, on the twenty-fourth day of October, in the year one thousand seven hundred and seventy-four, nominate and appoint David Rittenhouse, Esquire, on the part of Pennsylvania, to fix, in conjunction with any person to be appointed on the part of the then province of New-York, the beginning of the forty-third degree of north latitude on the Mohawk or western branch of Delaware river, which is the north-east corner of Pennsylvania, and to proceed westward in fixing and marking the boundary line between the said provinces of Pennsylvania and New-York : And whereas the honourable Cadwallader Colden, Esquire, then governor of the late province, now state, of New-York, with the advice of the then Council, did, on the eighth day of November, in the same year, nominate and appoint Samuel Holland, Esquire, on the part of New-York, to fix, in conjunction with the said David Rittenhouse, the same corner, and to proceed in running and marking the said line : And whereas, by virtue of an act of the General Assembly of the state of Pennsylvania,\* the Supreme Executive Council of this commonwealth, by commission, under the hand of Charles Biddle, Esquire, and the great seal, bearing date the sixteenth day of June, one thousand seven hundred and eighty-six, did constitute and appoint Andrew Ellicot, Esquire, commissioner, on the part of the said commonwealth of Pennsylvania, to run and mark the northern boundary of this commonwealth : And whereas the said David Rittenhouse and Samuel Holland, in pursuance of their said respective appointments, did proceed on the said business, and made return thereof, under their hands, bearing date at Philadelphia the fourteenth day of December, in the same year, by which it appears that they ascertained and fixed the beginning of the forty-third degree of north latitude on the said Mohawk or western branch of Delaware, and there, in a small island of the said river, planted a stone, marked with the letters and figures **NEW-YORK, 1774.** cut on the north side thereof, and the letters and figures **Lat. 40° Var. 4° 20'** cut on the top thereof ; and in a direction due west from thence, on the west side of the said branch of Delaware, collected and placed a heap of stones at the water mark, and proceeding further west, four perches, planted another stone in the said line, marked with the letters and figures **PENNSYLVANIA, 1774.** cut on the south side thereof, and the letters and figures **Lat. 42° Var. 4° 20'** cut on the top thereof ; and at the distance of eighteen perches due west from the last mentioned stone marked an ash tree ; but that the rigour of the season prevented them from proceeding further in running the said line, as by the said return, remaining of record, fully appears : And whereas, by virtue of an act of the General Assembly of the state of New-York, entitled "An act for running out and marking the jurisdiction line between this state and the commonwealth of Pennsylvania," passed the 26th day of February,

[\* Chap.  
1143.]

in the year one thousand seven hundred and eighty-six, James Clinton and Simeon Dewitt, Esquires, were duly appointed commissioners, on the part of the state of New-York, to join with such person or persons as should be appointed on the part of Pennsylvania, to run out, mark and ascertain the said line, beginning at the place so fixed and ascertained by the said commissioners, as above mentioned, on the Mohawk or western branch of Delaware river: And whereas the said Andrew Ellicot, on the part of this commonwealth, and the said James Clinton and Simeon Dewitt, on the part of the state of New-York, did, in the year of our Lord one thousand seven hundred and eighty-six and seven, in pursuance of the powers so as aforesaid vested in them, run, fix and ascertain the said boundary line, beginning at the first mentioned stone, marked as is herein above recited, and extending thence due west by a line of mile-stones, marked with the number of mile and miles which each stone is distant from the said first mentioned stone, planted in the said small island, to the bank of Lake Erie, at the distance of two hundred and fifty-nine miles and eighty-eight perches from the said first mentioned corner stone; and the said commissioners did accordingly return a draft or plot of the said line, under their hands, to the Supreme Executive Council of this commonwealth; in which said draft or plot are noted and laid down the several principal waters, mountains, and other remarkable places, through and over which the said boundary line runs; which said boundary line is and ought to be for ever hereafter deemed and taken as the true boundary of territory and jurisdiction between this state and the state of New-York, so far as the state of New-York is bounded thereby:

SECT. II. *It is therefore hereby declared and 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 said boundary line, so as aforesaid run, marked and returned, by the said Andrew Ellicot, commissioner on the part of this state, and the said James Clinton and Simeon Dewitt, commissioners on the part of the state of New-York, beginning at the first mentioned corner stone, planted in the said small island, in the Mohawk or west branch of Delaware river, and thence extending due west, by the marked stones aforesaid, so far westward as to meet the meridian line, which is hereafter to be fixed and established as the western boundary of the state of New-York, shall be, and for ever hereafter shall be deemed and taken to be, and is hereby declared to be, the true and just line of boundary and partition, both of territory and jurisdiction, between the state of Pennsylvania and the state of New-York; and that this commonwealth of Pennsylvania doth not, nor at any time hereafter shall or will, claim to have, hold or exercise, any right, power or jurisdiction, in or over the soil or inhabitants dwelling northward of the said line hereby established, eastward of the said meridian line, or western boundary of New-York: *Provided always nevertheless, That nothing in this act contained shall be deemed to bind the commonwealth of Pennsylvania, until the legislature of New-York shall establish and confirm the said boundary line on their part, as fully and effectually as the same is by this act established and confirmed.*

The boundary line between the states of Pennsylvania and New York, as marked by the commissioners confirmed.

1789.

The line to be engraved, with proper notes.

[This section repealed by act of 27th of March, 1790, chap. 1489, and Reading Howell, authorized to delineate the line on his map.]

[SECT. III. And in order that the knowledge of the said boundary line may be rendered permanent and extensive: *It is hereby further enacted by the authority aforesaid,* That it shall and may be lawful for the Supreme Executive Council of this commonwealth to cause and procure the draft or plot of the said line, and of the reports of the commissioners who completed the same, together with such notes and observations of the said commissioners, as, in the opinion of the said Council, may be necessary to be preserved, to be engraved on plates of copper, and such number of copies to be printed from such plates, as will be sufficient to perpetuate the memory of the said line, not exceeding, in the first instance, two hundred copies, and to preserve the said plates for any future use or purpose to which they may be applied by the legislature of Pennsylvania; and to issue any order or orders on the Treasurer of this state, for the payment of the expenses of engraving and printing the same, to be charged, with the contingent expenses of government, on the fund provided therefor.]

Passed 29th September, 1789.—Recorded in Law Book No. IV. page 33.

#### CHAPTER MCCCXLVII.

*An ACT for incorporating the society formed for the relief of distressed and decayed pilots, their widows and children.*

Passed 29th September, 1789.—Private Act.—Recorded in Law Book No. IV. page 7.

#### CHAPTER MCCCCLI.

*An ACT for incorporating the German Lutheran congregation, worshipping at the church called St. Peters, in Pikeland township, in the county of Chester.*

Passed 29th September, 1789.—Private Act.—Recorded in Law Book No. IV. page 24.

#### CHAPTER MCCCCLIII.

*An ACT for incorporating the German Lutheran Congregation worshipping at the Church called Zion, in Pikeland township, in the county of Chester.*

Passed 30th September, 1789.—Private Act.—Recorded in Law Book No. IV. page 28.