

1791. incorporated, and their successors, with power to demand, receive and recover the same, as if they had been originally contracted by, or due, or recoverable from the said trustees herein directed to be appointed and incorporated.

An annual statement of the funds to be laid before the Legislature.

SECT. V. *And be it further enacted by the authority aforesaid,* That, pursuant to the ninth article of the terms of union, the trustees shall annually lay a statement of the funds of the institution before the Legislature of the commonwealth.

Passed 30th September, 1791.—Recorded in Law Book No. IV. page 263.

CHAPTER MDLXXXVIII.

An ACT for vesting a yearly rent-charge of five pounds, issuing out of a messuage and lot of ground situate on the north side of High-street, in the city of Philadelphia, in a trustee, to collect the arrearages of rent due, and to grow due, and to apply the monies arising therefrom to the uses therein mentioned.

Passed 30th September, 1791.—Private Act.—Recorded in Law Book No. IV. page 266. (b)

(b) The monies collected to be applied to the use of the heirs of Joseph Richardson.

CHAPTER MDLXXXIX.

An ACT to empower the Governor to lay out a town and out lots at the mouth of Beaver-creek, for the uses therein mentioned.

WHEREAS, by the act of Assembly passed in the year one thousand seven hundred and eighty-three, for the purpose of redeeming the certificates of the depreciation given to the officers and soldiers of the Pennsylvania line, and for other purposes therein mentioned, a certain tract of land was reserved to the use of the state, as in the said act is expressed, containing three thousand acres, situate on the Ohio, and on both sides of the mouth of Beaver-creek, including Fort McIntosh: And whereas it appears that the sale of one third part of said tract will be an encouragement, convenience, and security, to those who become the first settlers:

SECT. 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 Governor is hereby empowered to direct the Surveyor-General to lay out, or cause to be laid out, and surveyed, two hundred acres of land, in town lots, on or near the ground where the old French town stood, [in such manner as commissioners appointed by the Governor shall direct;] and also one thousand acres adjoining on the upper side thereof, to be laid out and surveyed, as nearly square as may be, in out lots not less than five acres, nor more than

The Governor to direct a town to be laid out on Beaver creek; [See chap. 1644, post.]

and reserve lots for public use.

ten acres each: *Provided always*, That the Governor shall reserve out of the lots of the said town, so much land as he shall deem necessary for public uses. 1791.

SECT. II. *And be it further enacted by the authority aforesaid*, That upon the return of such surveys, which are hereby directed to be made to the Surveyor-General, the Governor shall be thereupon authorized to sell the one equal half of the town lots, and the whole of the out lots, in such manner as he shall think most to the advantage of the state, and make conveyances of the same; excepting always such as shall be reserved for public uses.

SECT. III. *And be it further enacted by the authority aforesaid*, That the streets, lanes and alleys of the said town and out lots shall be common highways for ever, and that the sale of the said lots and out lots herein mentioned shall be made, either in whole or part, at the town of Pittsburgh, Washington, or the city of Philadelphia, at the discretion of the Governor; and previous to the sale or sales in either place, notice shall be given in one or more of the newspapers of the said city, and also in the Pittsburgh Gazette, of such sale, at least ten weeks previous to such sale or sales.

SECT. IV. *And be it enacted by the authority aforesaid*, That the Governor is hereby empowered to draw an order on the State Treasurer, to defray the costs and charges of surveying, advertising and selling the lands aforesaid, to be paid by the treasurer out of the public monies arising from the sales of the aforementioned lots. (c)

Passed 28th September, 1791.—Recorded in Law Book No. IV. page 268.

(c) By act of 6th of March, 1793, (chap. 1644,) Daniel Leet's survey of the town and out lots established.

By the 17th section of the act of 13th March, 1800, (chap. 2119, by which the county of Beaver is erected,) the quantity of 500 acres of land, to be surveyed out of the reserved tract, at the mouth of Beaver creek, is granted to the trustees of the county, for the use of an academy to be thereafter established in the town of Beaver.

By an act passed 29th March, 1802, (chap. 2260,) the town of Beaver is incorporated by the name of, The Borough of Beaver: by the 7th section of which act fifteen acres of the said reserved tract, including several springs and streams of water, are granted to the inhabitants of the town of Beaver forever, &c. and the said lands are not to be sold by the corporation.

The limits of the borough are altered and contracted, by act of 14th Jan'y, 1804, (chap. 2399.)

Further altered and contracted by act of 27th Jan'y, 1806, (chap. 2622.)

By an act passed 21st Feb'y, 1803, (chap. 2322,) additional trustees are appointed, and authority is given to lease the academy lands for any term not exceeding 15 years.—The trustees

are also authorized to erect a suitable building on one of the public lots in the town of Beaver for an academy, and to receive grants of land, &c. for the use thereof.—The trustees to give bond and surety, and to exhibit their accounts annually to the grand jury of the county for their inspection and approbation.

Commissioners are authorized to sell at public sale one fourth of the town lots in Beaver, the property of the commonwealth, and one fourth of the reserved tract in lots of not less than five nor more than ten acres.—Purchasers to build on the town lots within a limited time.—The Surveyor-General to furnish the said commissioners with a draft of said lots.—The commissioners to transmit a statement of the sales, and the purchase money to the Receiver-General; and to give bond and surety, &c.

By act of 21st March, 1806, the trustees of Beaver town are authorized to sell by public auction, one half of the academy land, and to reserve the other half, including the ferry over the Ohio, for the use of the institution, and appropriate part of the proceeds to the erection of a building.—To give additional security, and exhibit their ac-

1791. counts annually to the county commissioners.

The commissioners for the sale of the town lots, are authorized to sue for the money in the name of the commonwealth. Act of 12th of Jan'y, 1807, (chap. 2727.)

By act of 10th Feb'y, 1807, (chap. 2741,) seven hundred dollars were

granted for the purpose of procuring water in the borough of Beaver.

Supplement to the act incorporating the borough of Beaver, passed 21st of Feb'y, 1810.

Supplement to the act directing the sales of certain town lots in the town of Beaver, and other land adjacent thereto, passed 20th March, 1810.

CHAPTER MDXC.

(Ante. pa. 28.)

A SUPPLEMENT to the act, entitled "An act to establish the Judicial Courts of this commonwealth, in conformity to the alterations and amendments in the constitution."

SECT. I. [TIME of meeting of the High Court of Errors and Appeals, obsolete.]

Appeals allowed from the register of wills within two years.

Proviso. [See vol. 1, page 33, and the notes thereto.]

SECT. II. *And be it further enacted by the authority aforesaid,* That from all acts and decisions of the several registers for the probate of wills and granting letters of administration, appeals shall lie to the respective Registers' Courts, provided such appeals be made within the term of two years: *Provided nevertheless,* That if any person or persons, who is, are, or shall be entitled to such appeal, shall, at the time when entitled thereto, be within the age of twenty-one years, covert, *non compos,* or *non compos mentis,* in prison, or out of the limits of the United States of America, then such person or persons, his, her or their heirs, executors or administrators, (notwithstanding the said two years be expired) shall and may enter his, her or their appeal from the judgment of the said register, so as the same be done within five years after his, her or their full age, discoverture, coming to sound mind, enlargement out of prison, or return into some one of the United States, but not afterwards, nor otherwise.

SECT. III. [Writs of Error to High Courts of Errors and Appeals, to retrospect, &c. A president to be appointed. Repealed.]

SECT. IV. [Periods of holding the several courts of Common Pleas, and General Quarter Sessions, throughout the state, supplied.]

SECT. V. [Quarter Sessions limited, supplied.]

SECT. VI. [The first courts how held. Obsolete.]

Sheriffs' deeds how acknowledged.

[See notes to chap. 152, vol. 1, page 57.]

SECT. VII. *And be it further enacted,* That where any sheriff hath executed, or hereafter shall execute, by order of the proper court, a deed for any lands, tenements, or hereditaments, sold by his predecessor in office, the execution of such deed may be acknowledged in the county where the lands lie, in the same manner as by the eleventh section of the act, to which this is a supplement, is permitted to be done by the sheriff who sells and conveys such lands, tenements and hereditaments.

Power of prothonotaries enlarged, &c.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the prothonotaries and clerks of the several courts of record in this commonwealth, shall, respectively, have full power and authority to take the acknowledgment of satisfaction of judgments,