

1795. Pennsylvania may at all times occupy the said island and fortifications, whenever the same shall not be possessed by a military force under the United States: *And provided further*, That the jurisdiction of the state of Pennsylvania over the said island, in civil and criminal cases, be the same as before the passing of this act.

Reservation.

Passed 15th April, 1795.—Recorded in Law Book No. V. page 437.

CHAPTER MDCCCXXVIII.

An ACT to erect a part of East Pennsborough and Allen townships in the county of Cumberland, into a separate election district.

A new election district in Cumberland county erected.

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 all that part of East Pennsborough and Allen townships, in the county of Cumberland, that will lie east of a direct line to be run from the dwelling-house of John Clendenen in East Pennsborough township, to the house of Archibald Lowden; thence by a direct line to the mouth of Dogwood run, including the dwelling-houses of the said John Clendenen and Archibald Lowden, shall be erected into a separate election district; and the freemen residing within the said district are hereby authorized to hold their annual elections at the Silver Spring meeting-house, in East Pennsborough township aforesaid, any law to the contrary notwithstanding.

Passed 15th April, 1795.—Recorded in Law Book No. V. page 431.

CHAPTER MDCCCXXX.

(See vol. 1, page 278, 9, 318, 319, vol. 2, page 432.)

An ACT to authorize the inhabitants of the Northern-Liberties, within a certain described part thereof to regulate the streets, lanes and alleys, within the same, and for other purposes therein mentioned.

Three Surveyors to be appointed, to survey and regulate the streets, &c. in the Northern-Liberties, within the specified boundaries.

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 be, and he is hereby authorized to appoint three Surveyors, who shall have full power and authority, and are hereby enjoined and required, as soon as conveniently may be, to survey, regulate and direct the courses and degrees of descent, and the distances from the sides of the streets, lanes, alleys and roads, of all and every the gutters, natural water-courses and common sewers, and to fix and ascertain the same, and to survey and regulate all and every the streets, lanes, alleys and roads, already laid out within the following bounds of the township of the Northern-Liberties, to wit; Beginning at the Northern bounds of the city of Philadelphia, on the river Delaware; thence up the same river, the several courses thereon, to Shackamaxon creek, commonly called

Gunner's run; thence up the west side of the same creek, to the south line of the lands of the estate of Isaac Norris, deceased: thence by the same tract of land, the several courses thereof, to the road leading from Philadelphia to Frankford; thence down the same road to a stake; thence west to the Mustard-mill, on Germantown road, belonging to the estate of William Masters, deceased; thence continuing the same course to the old York road; thence on the west side of the said road, the several courses thereof, to Hickory-lane; thence westerly, up the said lane, to the head thereof; thence continuing the same course to the Wissahickon road; thence down the same road, the several courses thereof, to the northern bounds of the said city; thence by the same city to the river Delaware, the place of beginning; and the said Surveyors aforesaid, having surveyed the said streets, lanes, alleys and roads, lying south of Cohocksink creek, within the boundaries aforesaid, and regulated and directed the courses, and ascertained the degrees of descent of all and every the water-courses within the same, shall make, or cause to be made, correct drafts or plans of all the said streets, lanes, alleys and roads, and of the courses, and degrees of descent of the said water-courses, together with every necessary explanation, and return the same, under their hands, to three Justices of the Peace within that part of the Northern-Liberties aforesaid, who are hereby enjoined and required to keep and preserve the same in their respective offices, for the public inspection and examination of all persons concerned, for the space of three months, after which the said justices, together with six resident freeholders, by them to be appointed, shall give public notice in two of the public newspapers in the city of Philadelphia, one whereof shall be in the German language, at least six different times within two succeeding weeks, that on a day certain, and particularly expressed in such public notice, they will examine the said drafts or survey, and hear the objections of any land-holders, or other persons, who may think themselves aggrieved; and the said Justices and freeholders, appointed as aforesaid, shall have full power and authority to adjudge and determine whether the same shall be fully and finally established, or whether any and what alterations shall be made therein, and shall direct the same drafts or plans, together with such alterations as shall be made therein, their adjudication thereupon, and every necessary explanation, to be recorded in the office of the Clerk of the Court of Quarter Sessions of the county of Philadelphia.

SECT. II. *And be it further enacted by the authority aforesaid,* That a separate survey or regulation of that part of the district of the Northern-Liberties, which lies on the north side of Cohocksink creek, within the first described bounds, shall be made by the same Surveyors, in all things conducted in the same manner, and under the same regulation, as the survey or regulation of that part of the Northern-Liberties, which lies on the south side, except that the freeholders to be appointed by the said Justices shall reside on the north side of the aforesaid creek.

SECT. III. *And be it further enacted by the authority aforesaid,* That the Justices of the Peace in the township of the Northern-Liberties aforesaid, shall be authorized to draw orders on the Su-

Correct drafts to be made of the said streets, &c. and returned to three Justices, for public inspection;

to be advertised;

objections thereto heard; and decided by the Justices.

A separate survey to be made of that part of the district of Cohocksink.

Pay of the Surveyors, how to be discharged.

1795. supervisor or Supervisors of the roads for the said township, for the pay and incidental expenses of the said Surveyors, who are hereby enjoined and required to pay the amount of such orders; and the same shall be allowed to the said Supervisors in the settlement of their accounts.

When foot-ways and gutters may be ordered to be paved.

SECT. IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any three Justices, resident in the Northern-Liberties, on the application of any five resident freeholders, to issue their precept to any suitable person or persons, authorizing him or them to cause the foot-ways and gutters of such street, lane or alley, so applied for, to be paved with bricks or stones, as the case may require, and to plant posts or curb stones, to prevent the same from being injured by carriages, agreeably to the regulations of the Surveyors aforesaid: *Provided always,* That the greater part of the space required to be paved, shall be built upon and improved: *And provided also,* That all and every owner or owners shall have the privilege of paving their own fronts as aforesaid, so that they have it completed within one month after notice given for that purpose, by the person or persons appointed to pave as aforesaid, by writing, under his or their hands: *And provided further,* That no person shall be obliged to pave any foot-way to a greater breadth than four feet in front of any lot, whercon a dwelling-house shall not be erected.

Privilege of owners of houses to pave for themselves.

Breadth of pavements.

Application to be made to owners for the expense of their pavements.

SECT. V. *And be it further enacted by the authority aforesaid,* That the person or persons so appointed shall, previous to his or their entering on the duties required by this act, make an estimate of the expense, and apply, by written notice, to the several owners of lots and buildings within the space required to be paved, for their respective proportions; and in case any owner or owners shall neglect or refuse to pay such amount within four weeks after notice as aforesaid, it shall and may be lawful for the person or persons appointed as aforesaid to borrow the same, and the neglecting owner or owners shall be accountable to him or them for the amount so borrowed, with legal interest thereon.

Proceedings, in case of neglect or refusal to pay the same.

Proceedings in cases of minors and absentees.

SECT. VI. *And be it further enacted by the authority aforesaid,* That in case any grounds or buildings belong to minors or absent persons, then the same shall be recovered against any person or persons having the care of such grounds or buildings belonging to such minor or absent owner, and the receipts of the person appointed to pave as aforesaid shall be good vouchers to all executors, administrators, guardians, trustees, or attornies, against their principals; and where any owner or owners of any grounds or buildings, attornies, executors, administrators, trustees or guardians, cannot be found, or in case any of them neglect to pave their own fronts, or to pave the portion respectively allotted to them, then it shall and may be lawful for any Justice of the Peace resident in the Northern-Liberties to issue executions for the same, to be levied on the grounds or buildings of such absent owner, executors, administrators, guardians or attornies; and the person so appointed by the Justices as aforesaid, is hereby authorized to rent the same for the shortest space of time, in which the rent and profits will satisfy the debt and costs.

SECT. VII. *And be it further enacted by the authority aforesaid,* **1795.**
 That in case any owners of lots or buildings, or the persons having the care of any lots or buildings, as executors or administrators, guardians, trustees or attorneys, shall be in arrear on a final settlement of the accounts, and neglect or refuse to pay the same, it shall and may be lawful for the said person, appointed by the Justices aforesaid, to recover the same, with costs, by action of debt, as debts of the same amount are by law recoverable.

How arrearages shall be recovered.

Passed 17th April, 1795.—Recorded in Law Book No. V. page 475.

CHAPTER MDCCCXXXII.

An ACT to authorize a deviation in the course of that part of the state road from Bedford to Pittsburgh, which lies between Turtle-Creek and Pittsburgh.

WHEREAS it appears from the representation of many citizens, that a deviation from the course of that part of the state road from Bedford to Pittsburgh, which lies between Turtle-Creek and the latter place, would greatly accommodate the inhabitants in the neighbourhood thereof, and otherwise be of use and benefit to the public: And whereas the Governor, with a view to obtain information on the subject of the proposed deviation, directed a survey to be made of the courses and distances thereof, which survey being returned on the sixth day of December, one thousand seven hundred and ninety-two, has been examined and approved: Therefore,

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 said survey, heretofore made under the authority of the Governor, for ascertaining the courses and distances of a proposed deviation in that part of the state road from Bedford to Pittsburgh, that lies between Turtle-Creek and Pittsburgh shall be delivered to the Secretary of the commonwealth, to be by him recorded among the records of the executive department; and thereupon the same shall be deemed, taken, and for ever established, as designating and ascertaining the true and only courses and distances of the part of the state road aforesaid, any law, record or proceeding, to the contrary thereof, in anywise notwithstanding; and the survey and record heretofore made of the said state road shall be, and the same is hereby declared to be so far, but no further vacated, and made null and void.

A deviation in the course of Pittsburgh road from Turtle-creek to that town.

Passed 17th April, 1795.—Recorded in Law Book No. V. page 481.

CHAPTER MDCCCXXXVII.

An ACT to ascertain certain parts of lines between the counties of Berks, Northampton, Northumberland and Luzerne, and for other purposes therein mentioned.

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