

CHAPTER MDCCCCLXXXI.

1798.

An ACT to repeal an act, entitled "An act for raising, by way of lottery, the sum of sixty thousand dollars, for accomplishing the building a stone bridge over the river Schuylkill, at the borough of Reading, and for other purposes therein mentioned."

SECT. 1. [THE powers and duties of the commissioners dissolved, and the money for tickets sold, to be refunded. 2. Provision for settling their accounts. 3. Repeal of the former act.]

Passed 29th March, 1798.—Recorded in Law Book No. VI. page 258.

CHAPTER MDCCCCLXXXII.

An ACT to annex part of Bedford county to the county of Franklin.

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 Bedford county, commonly called the little Cove, and lying eastward of a line to begin in the Maryland line, near the Great Cove, or Tuscarora mountain, thence running north easterly along the summit of the said mountain, until it intersects the present line between Bedford and Franklin counties, shall, from and after the passing of this act, be annexed to the county of Franklin, and shall, until otherwise ordered by the Court of Quarter Sessions for the said county, be considered as part of Montgomery township; and the electors thereof shall meet at the same place, and hold their general elections with the electors of the township aforesaid.

(See vol. 1, pa. 330, vol. 3, pa. 264.)

Part of Bedford annexed to Franklin county.

SECT. II. And be it further enacted by the authority aforesaid, That the commissioners of the counties of Bedford and Franklin, or at least one of the said commissioners from each county, shall meet, as soon as conveniently may be after the passing of this act, and employ a skilful Surveyor to run and mark, in a plain and legible manner, a line, under their direction, agreeably to the provisions of this act; and it shall be the duty of the said commissioners to make report of the course or courses, and distances of the said line, to the Courts of Quarter Sessions of their respective counties, there to remain of record, as the established line between said counties; and the expenses necessarily incurred in running and marking said line shall be paid out of the treasury of Franklin county, upon a warrant or warrants to be drawn by the commissioners of said county.

Provision for running and reporting the boundary line.

How the expense shall be defrayed.

Passed 29th March, 1798.—Recorded in Law Book No. VI. page 233.

CHAPTER MDCCCCLXXXIX.

An ACT to prevent the disturbance of religious societies within the city of Philadelphia, during the time of divine service.

WHEREAS by a law of the late province of Pennsylvania, passed the sixth day of February, one thousand seven hundred and

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thirty-one, religious societies were enabled to purchase and to hold lands, for the purpose of erecting thereon churches and houses of religious worship, and all gifts, grants and purchases, made before that time, for the purpose aforesaid, are ratified and confirmed by the said law to the respective religious societies, for whose use the said lands were granted, and, under the faith and sanction of said law, sundry religious societies of different denominations have been induced to purchase certain pieces and parcels of ground, in such places as were most convenient in the said city, and have erected thereon, at great expense, churches and other houses of religious worship, and by the constitution of this commonwealth it is declared, "that all men have a natural and indefeasible right to worship Almighty God according to the dictates of their conscience :". And whereas it would be nugatory to grant the said rights, without securing the peaceable and quiet enjoyment of them :

Power of religious societies to prevent carriages passing during the time of divine service.

SECT. I. *Be it therefore 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 it shall and may be lawful to and for the religious societies aforesaid, and each and every of them, within the city of Philadelphia, and they are hereby authorized and empowered, and each and every of them is hereby authorized and empowered, by a suitable person or persons, by them for that purpose to be appointed, at the proper costs and charges of the said religious societies respectively, to extend and fasten so many chains across the streets, lanes or alleys, and in such place and manner, as may be sufficient to hinder and obstruct all coaches, coaches, chariots, chaises, waggons, and other carriages whatsoever, and all and every person or persons riding or travelling on horseback, from passing by the said churches or houses of religious worship during the time of divine service therein. *Provided always,* That the said chains, or any of them, be not extended and fastened across the said streets, lanes or alleys, or any of them at a greater distance from the said churches or houses of religious worship, than twenty feet from the corner nearest to the said chain: *And provided always,* That the said chains be not extended and fastened in manner aforesaid across the said streets, lanes and alleys, on any other days except Sundays, commonly called the Lord's day, nor on those days, until the commencement of divine service within the said churches or houses of religious worship respectively: *And provided also,* That the said chains shall be taken down and withdrawn before it is dark, and immediately after divine service shall be ended within the said houses of worship respectively.

Chains, how to be placed across streets.

Provision for fixing posts.

SECT. II. *And be it further enacted by the authority aforesaid,* That in all places where it shall be necessary to erect and fix posts in the ground, for the purpose of fastening thereto the chains to be extended across the streets, lanes and alleys, in manner aforesaid, the said posts shall be set up or fixed on the brick pavement or footway, as near as may be to the street, without inconvenience or injury to the same; and that previous to the setting up any post or posts for the purpose aforesaid, by order and direction of the said religious societies, the person or persons, employed to erect the same shall give notice thereof to some one of the street commissioners, who is

hereby required to attend in pursuance of such notice, and to superintend and direct the fixing and setting up said posts, so that they be least injurious to the streets, lanes and alleys aforesaid. 1798.

SECT. III. *And be it further enacted by the authority aforesaid,* That nothing in this act contained shall be construed to authorize the extending a chain or chains through or under the market-house or shambles in High-street; and where any house of religious worship shall be opposite the same, the chain or chains shall be extended on each side thereof, and fastened to the posts to be erected as aforesaid, and to some convenient part of the outside of the said shambles or stalls.

Chains not to be extended through the market-house.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any action or suit shall be commenced or prosecuted against any person, for or by reason of any thing done in pursuance of this act, every person so sued may plead the general issue, and give this act, and the special matter, in evidence.

This act may be given in evidence in suits, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That if any person or persons shall remove, or cause to be removed, the post or posts, chain or chains, to be erected or placed by virtue of this act, without consent of the religious society erecting or placing the same, every such person or persons, upon due proof of such offence before any Alderman of the said city, shall forfeit and pay the sum of thirty dollars, to be recovered as debts under twenty pounds are recoverable, to be applied to the use of the poor of the said city.

Penalty for removing chains or posts.

Passed 4th April, 1798.—Recorded in Law Book No. VI. page 283.

CHAPTER MDCCCCXCIII.

A SUPPLEMENT to the act to enable the Governor to appoint Notaries Public, and for other purposes therein mentioned. [Ante. p. 6.]

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 two additional Notaries Public in the county of Philadelphia, one of whom shall hold his office only during the continuance of his residence in the district of Southwark, and the other shall hold his office only during the continuance of his residence in the Northern-Liberties, under the restrictions and provisions contained in the act to which this is a supplement, excepting only so much of the first proviso in the second section of the said act, as limits the number of Notaries to be appointed within the city and county of Philadelphia, which part of the said proviso, and no more, is hereby repealed.

The Govern- or empow- ered to ap- point two additional Notaries Public.

Passed 4th April, 1798.—Recorded in Law Book No. VI. page 282.

CHAPTER MDCCCCXCIV.

An ACT for altering and erecting certain election districts.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assem-*