

CHAPTER MMII.

An ACT to declare Frankford creek, a public highway.

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* from and after the passing of this act, Frankford creek, in the county of Philadelphia, from the mouth thereof up to Joseph I. Miller's land, opposite to the race bridge across the Bristol road, or main street in Frankford, shall be, and the same is hereby declared to be a public highway, for the passage of all kinds of vessels and rafts, which may float therein; and it shall and may be lawful for the inhabitants desirous of using the navigation of the said creek to remove all natural and artificial obstructions, from the mouth of the said Frankford creek up to the aforesaid Joseph I. Miller's land, opposite to the race bridge across the Bristol road, or main street in Frankford, so that the said creek shall be navigable sixty-six feet in width: *Provided, That* nothing herein contained shall in any wise affect or injure the stone arched bridge now erected on the Bristol road, across the said Frankford creek.

Passed 16th January, 1799.—Recorded in Law Book No. VI. page 317.

CHAPTER MMIII.

An ACT to facilitate the barring of entails.

WHEREAS common recoveries are now considered as a mode of conveyance, by which tenants in tail are enabled to convey and dispose of their lands and tenements, but the said mode of conveyance is attended with a heavy expense, and in many cases with great inconvenience: 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* from and after the passing of this act, any person or persons seized of any estate-tail in possession, reversion or remainder, shall have full power to grant, bargain, sell and convey any lands, tenements or hereditaments, whereof he, she or they shall be so seized, by such manner and form of conveyance or assurance, as any person seized of an estate in fee-simple may by the laws of this state grant, bargain, sell, and convey any lands, tenements, or hereditaments, whereof such person is seized of an estate in fee-simple; and all and every such grants, bargains, sales and conveyances of any person or persons, so seized in tail, shall be good and available, to all intents and purposes, against all and every person and persons, whom the grantor, bargainor or vendor, might or could debar by any mode of common recovery, or by any way or means whatever, any law or usage to the contrary notwithstanding.

SECT. II. *And be it further enacted by the authority aforesaid, That* where any person or persons, having been seized of any estate-tail, in possession, reversion or remainder, of any lands, tene-

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Frankford
creek, de-
clared a pub-
lic highway.

(See chap.^d
364, vol. 1,
pa. 203, and
the notes
thereto.)

Estate-tail
may be bar-
red by deed
of grant, bar-
gain and sale.

How estates-
tail hereto-
fore sold
may be con-

ments or hereditaments, hath or have granted, bargained, sold or conveyed the same to a *bona fide* purchaser, for a good and valuable consideration, in the same manner and form of conveyance and assurance, as if he, she or they had been seized thereof in fee-simple, it shall and may be lawful for such person or persons, and his, her or their heirs, inheritable to such estate-tail, to convey and confirm such lands, tenements and hereditaments, to such purchasers thereof, their heirs and assigns, in the same manner, and by such form of conveyance, as he, she or they might have done, had he, she or they, at the time of such grant, bargain, sale or conveyance, been seized of the said lands, tenements or hereditaments, in fee-simple; and that such conveyance and confirmation shall be good and available to all intents and purposes, against any person or persons claiming by virtue of such estate-tail, or in remainder or reversion after such estate-tail, as such grantor, bargainor or vendor might or could have debarred by any mode of common recovery, or by any ways and means whatsoever, previously to such grant, bargain, sale or conveyance, any law or usage to the contrary notwithstanding. *Provided always*, That every grantor, bargainor or vendor, by virtue of this act, shall, in the conveyance or assurance made by him, her or them, state his, her or their intention thereby to debar any estate-tail, in possession, reversion or remainder, that he, she or they has or have in the lands, tenements or hereditaments, so intended to be granted. *And provided also*, That every conveyance or assurance by virtue of this act, being first proved or acknowledged agreeably to the laws of this commonwealth, shall, in open court, on motion, be entered on the records of the Supreme Court of this commonwealth, or on the records of the Court of Common Pleas for the county, in which the said lands or tenements so granted lie, in the manner commonly used with respect to sheriffs' deeds, and shall also be recorded within six months next after the execution of the said conveyance or assurance, in the county where the said lands or tenements so granted shall lie.

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The intent
 to bar the
 entail shall
 be declared
 in the deed.

The deed to
 be recorded
 in the county
 where the
 lands lie,

Passed 16th January, 1799.—Recorded in Law Book No. VI. page 318.

CHAPTER MMIV.

An ACT to authorize John Canan to erect a toll-bridge over the Frankstown branch of the Juniata river.

SECT. 1. [JOHN CANAN empowered to erect a toll-bridge over the Frankstown branch of Juniata river. Rates of toll. Private property not to be encroached upon, nor the navigation interrupted. 2. Paupers shall be exempt from paying toll. 3. Accounts to be laid before the Quarter Sessions. When tolls may be reduced. 4. Time limited for commencing and finishing the bridge. 5. When and on what terms the bridge may be made free. 6. Proceedings in case the bridge is not kept in repair, by summary inquisition by precept of a Justice of the Peace.]

Passed 19th February, 1799.—Recorded in Law Book No. VI. page 329.