

said officer or any bounty paid or allowed for the same, which oath or affirmation the officer is hereby empowered to administer, he the said officer shall forthwith pay to such person or persons out of the money of the public in his hands one penny for every pound weight of such hemp as aforesaid, and shall give to the owner of the said hemp a receipt under his hand for the quantity by him received certifying the same to be good and merchantable, for the trouble of which the said officer shall be allowed by the public one shilling for every hundred pounds, and so proportionably for a greater or lesser quantity and no more.

And all such hemp shall lie in the said warehouse, if the owner thinks fit to store it, till such time as he or some person by his order shall apply to the said officer with his receipt for the said hemp, upon producing of which receipt the said hemp for which such receipt was given shall be delivered in the same good order in which it was received to the said owner or his order (casualties of fire and such like accidents excepted) without any further charge, saving porters' hire and an allowance of four pence per hundred for attending the same.

[Section III.] And be it enacted by the authority aforesaid, That Charles Read, appointed collector for receiving the excise, be and is hereby appointed the officer for receiving and viewing all such hemp as aforesaid and for paying the bounty hereby granted and allowed for the term aforesaid.

Passed March 20, 1724-25. Expired before being considered by the Crown. See note to the Act of Assembly passed May 22, 1722, Chapter 257; and the Acts of Assembly passed May 6, 1727, Chapter 294; February 14, 1729-30, Chapter 316; January 10, 1731-32, Chapter 328.

CHAPTER CCLXXXVII.

AN ACT FOR THE BETTER SECURING THE CITY OF PHILADELPHIA FROM THE DANGER OF GUNPOWDER.

Forasmuch as the city of Philadelphia is destitute of any magazine or other suitable repository for the safe-keeping of gunpowder, which, being a commodity of good consideration in

the trade of this province, the merchants and traders are frequently reduced to the necessity of keeping it on shipboard within the port of the said city or to deposit the same in the stores and shops, too often within the access of sailors and servants, to the manifest danger of the people of the said city in their persons and estates. And forasmuch as William Chancellor, of the said city, sailmaker, by the recommendation of divers of the magistrates as well as merchants and others of the said city, hath undertaken to build a suitable powderhouse or store for the receipt of all the gunpowder which shall or may be imported into the said city on a piece of ground he lately purchased from Daniel Pegg, lying near the north end of the said city adjoining to a swamp on the south side, and upon the King's high road on the east end thereof:

[Section I.] Be it therefore enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the said William Chancellor, his heirs, executors or assigns, shall at his and their proper costs and charges cause to be well erected and built a good, substantial, tight and secure powder house or store for gunpowder of brick or stone on the piece of ground aforesaid within three months next ensuing the publication of this act, to be well boarded and covered and so fit and capacious as may reasonably be expected will contain all the gunpowder to be from time to time imported into the said city, wherein he the said William Chancellor, his executors and assigns, shall lay up and store all the gunpowder to be from time to time imported or brought into the said city which shall come to his or their receipt pursuant to the direction of this act, and for which he and they shall be accountable to the owners or deliverers thereof (lightning and other unavoidable accidents excepted), and shall also cause daily attendance to be given at the powder store aforesaid, betwixt the hours of nine and eleven in the morning and one and three in the afternoon, for delivering out the said commodity, and also at all times on due notice given for receiving thereof at the nearest and most convenient landing to the said lot of ground; and im-

mediately upon his receiving into his custody any quantity of powder as aforesaid, he shall pass his receipts in writing for the same, expressing the quantity of powder and describing the marks and numbers of the cask.

[Section II.] And be it further enacted by the authority aforesaid, That no person whatsoever within the precincts of the city of Philadelphia aforesaid nor within two miles thereof shall from and after the time the powder store aforesaid is so erected and finished presume to keep in any house, shop, cellar, store or place of the [said] city nor within two miles thereof, other than the powder store aforesaid, any more or greater quantity at any one time than twelve pounds of gunpowder under the penalty of ten pounds for every such offense. And whatsoever master, merchant or other person trading or bringing into the said port any gunpowder (other than such as shall be specially licensed in that behalf by the governor of this province for the time being, or shall be commissioned by the King's Majesty or other authority under the Crown of Great Britain) shall not within the space of forty-eight hours from his first arrival and coming to anchor there, upon due notice given him of the purport of this act by the said William Chancellor or his assigns or any of his or their deputies or servants, deliver all the powder so brought into the said port as aforesaid unto the said William Chancellor, his executors or assigns, shall forfeit the like sum of ten pounds for every such offense.

[Section III.] And be it further enacted by the authority aforesaid, That the said William Chancellor, his executors and assigns, shall have and receive for storage for gunpowder at the powder store aforesaid twelve pence per barrel per month, and so proportionably for half barrels and other cask, for the first six months; and six pence per barrel per month, and so proportionably for half barrels and other cask, for every month any of the said powder remains in the said store above six months; and likewise shall have and receive for every twelve pounds or lesser quantity, to be delivered at one time, six pence over and above the said storage.

[Section IV.] Provided always nevertheless, and be it [further] enacted by the authority aforesaid, That what quan-

tity of powder soever of the ship's store of any vessel shall be so as aforesaid delivered to be kept at the said powder store, and shall be re-demanded back again in order for its exportation out of this province, the said William Chancellor, his executors or assigns, shall cause the same to be re-delivered at the nearest and most convenient landing to the said powder store without exacting any other perquisite for such re-delivery than what is hereinbefore allowed for storage; and if the said William Chancellor, his executors or assigns, shall neglect to give due attendance at the powder house aforesaid as is hereinbefore directed and appointed, or shall take or exact greater or larger sum or sums of money for storage and delivery of said powder than is hereinbefore limited and appointed, he or they so offending shall (on due proof thereof, made by one or more credible witnesses before any one justice of the peace of the city or county of Philadelphia) forfeit and pay for every such offense such sum of money as the said justice shall think fit to award, not exceeding the sum of thirty shillings for any one offense.

[Section V.] And be it further enacted by the authority aforesaid, That all and singular the penalties and forfeitures arising by this act (excepting those under forty shillings) shall be recovered in any court of record in this province by bill, plaint or information, wherein no essoin, protection or wager of law nor any more than one imparlance shall be allowed, the one moiety of which forfeitures and penalties shall go to the governor for the support of this government, and the other moiety thereof to the informer or prosecutor who shall sue for the same.

[Section VI.] And be it further enacted by the authority aforesaid, That the clause in an act of assembly of this province (entitled "An act for preventing accidents that may happen by fire in the town of Bristol, formerly called Buckingham, Philadelphia, Germantown, Derby, Chester, Newcastle and Lewes, within this government"),¹ enacting that no person within the town of Philadelphia within six months next following the publication of the same act presume to keep in their

¹ Passed October 28, 1701, Chapter 110.

houses, shops or warehouses more than six pounds of gunpowder at one time, unless it be forty perches distant from any dwelling, under the penalty of ten pounds for every such offense, is hereby repealed and declared [null] void and of none effect, and that this present act shall continue in force for and during the term of twenty-one years and no longer.

Passed August 14, 1725. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I, and the Acts of Assembly passed May 8, 1747, Chapter 372. The Act in the text was repealed by the Act of Assembly passed December 6, 1788, Chapter 1059; March 20, 1856, P. L. 137.

CHAPTER CCLXXXVIII.

AN ACT FOR THE BETTER PREVENTING OBSTRUCTIONS TO THE NAVIGATION OF CHESTER CREEK AND OTHER NAVIGABLE CREEKS AND RIVERS IN THIS PROVINCE.

Whereas in the year one thousand seven hundred it was thought necessary for the better accommodation of the borough of Chester, in the county of Chester, and the inhabitants of the lower parts of the said county, as well as travelers, that the King's high road should be altered and brought nearer to the river, to pass through the said borough with a bridge over the said creek there; and thereupon, in consideration of the owners of lands, and especially of the mills situate on the said creek above the said borough, which had been erected at great charge, and required the same to maintain and support them for the benefit of trade, an act was passed in the said year that the road should be laid out as aforesaid through the said borough and a drawbridge should be there built, and that a person should attend the same to draw it up that sloops and shallops might pass to and from the said mills; and also that for the conveniency of rafts of logs passing to the said mills the space of twenty foot at least should be left clear between the timber or stone-work, which drawbridge was accordingly erected but now is gone to decay and requires to be rebuilt or repaired: