

At a General Assembly begun and holden at Philadelphia the fifteenth day of October, A. D. 1750, and continued by adjournments until the twenty-fourth day of August, 1751, the following acts were passed:

CHAPTER CCCLXXXVII.

AN ACT FOR EXPLAINING AND ASCERTAINING THE BOUNDARY LINE BETWEEN THE COUNTIES OF YORK AND CUMBERLAND, IN THE PROVINCE OF PENNSYLVANIA.

Whereas by an act of general assembly of this province, entitled "An act for erecting part of the province of Pennsylvania westward of Susquehanna and southeastward of the South Mountain into a county,"¹ passed in the twenty-third year of the present reign, it was enacted that all and singular the lands lying within the province of Pennsylvania aforesaid to the westward of the [river] Susquehanna and southward and eastward of the South Mountain should be erected into a county, and the same were thereby erected into a county by the name of York, bounded northward and westward by a line to be run from the said river Susquehanna along the ridge of the said South Mountain until it shall intersect the Maryland line, [southward by the said Maryland line,] and eastward by the said river Susquehanna. And whereas by a subsequent act of general assembly of this province passed in the same year of the present reign, entitled "An act for erecting part of the province of Pennsylvania westward of Susquehanna and northward and westward of the county of York into a county,"² it was enacted, that all and singular the lands lying within the province of Penn-

¹ Passed August 19, 1749, Chapter 377.

² Passed January 27, 1749-50, Chapter 380.

sylvania aforesaid to the westward of Susquehanna and northward and westward of the county of York should be and thereby were erected into a county by the name of Cumberland, bounded northward and westward with the line of the province, eastward partly with the river Susquehanna and partly with the said county of York and southward in part by the said county of York and part by the line dividing the said province from that of Maryland. And whereas, to the end the counties of York and Cumberland might be the better ascertained and known, it was by the [said] last-mentioned act of assembly further enacted, that it should be lawful for the trustees named in the said act and the act of assembly by which the county of York was erected into a county or for a majority of each of them, and they were thereby required and firmly enjoined, within the space of six months next after the publication of the said act to assemble themselves together, and with the assistance of one or more surveyors by them respectively to be provided, to run, mark out and distinguish the boundary line between the said counties of York and Cumberland. But forasmuch as the ridge of mountains called the South Mountain, along which the lines dividing the said counties of York and Cumberland were directed to be run by the several hereinbefore-mentioned acts from the river Susquehanna to the mouth of a run of water called Dogwood Run, is discontinued, much broken and not easily to be distinguished, whereby great differences have arisen between the trustees of the said counties concerning the manner of running the said line, by which means the boundaries of the said counties between the river Susquehanna and the mouth of the aforesaid run of water called Dogwood Run are altogether unsettled and so likely to continue, to the great injury of the said counties and to the frustrating the good purposes by the hereinbefore mentioned acts of assembly intended:

For preventing whereof and to the end the boundaries between the said counties of York and Cumberland may be certainly known,

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of New-

castle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, and it is hereby enacted, That the creek called Yellow Breeches Creek, from the mouth thereof, where it empties itself into the river Susquehanna aforesaid, up the several courses thereof, to the mouth of a run of water called Dogwood Run, [and from thence on one continued straight line, to be run to the ridge of mountains called the South Mountain,] and from thence along the ridge of the said South Mountain until it intersect the Maryland line, shall be and is hereby declared to be the boundary line between the said counties of York and Cumberland.

[Section II.] And be it further enacted by the authority aforesaid, That the trustees in the [before-mentioned] acts named and appointed or a majority of the trustees mentioned in each of the said acts shall within the space of four months next after the publication of this act assemble themselves together, and with the assistance of one or more surveyors by the said counties to be respectively provided, run, mark out and distinguish the boundary line aforesaid or so much thereof as shall be necessary, to wit: from the mouth of Dogwood Run aforesaid to the nearest part of the ridge of the South Mountain aforesaid, and from thence along the ridge of the said mountain until it shall intersect the Maryland line, under the penalty of fifty pounds, to be levied by distress and sale of the goods of the said trustees refusing or neglecting the service aforesaid, to be respectively paid by the trustees of the county so neglecting [or refusing] to assemble and run and mark out the boundary lines, as by this act is enjoined and required, one-half thereof to be paid to the trustees who shall attend the service enjoined by this act for the use of the county for which they are respectively named and appointed trustees, and the other half to such person or persons as will sue for the same, to be recovered in any court of record within this province by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law shall be allowed to the defendants.

[Section III.] Provided, That nothing herein contained shall be deemed or taken to disannul or make void the said-recited

acts or anything therein contained but that every clause, article and sentence therein except what is hereby altered or supplied shall be and remain in full force and virtue.

Passed February 9, 1750-51. Confirmed by the King in Council, May 10, 1753. See Appendix XIX, Section I, and notes to the Acts of Assembly passed August 19, 1749, Chapter 377; January 27, 1749-50, Chapter 380.

CHAPTER CCCLXXXVIII.

AN ACT FOR THE MORE EFFECTUAL PREVENTING ACCIDENTS WHICH MAY HAPPEN BY FIRE AND FOR SUPPRESSING IDLENESS, DRUNKENNESS AND OTHER DEBAUCHERIES.

To the end the provisions already made by our laws for preventing accidents which may happen by fire in the city of Philadelphia and several other boroughs and towns within this province may be made more generally useful, and to prevent as much as in us lies the growing sins of idleness, drunkenness and other debaucheries, too frequent among us,

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That if any person or persons whatsoever within any county town or within any other town or borough in this province already built and settled or hereafter to be built and settled, not hitherto restricted nor provided for by our laws, shall set on fire their chimneys to cleanse them or shall suffer them or any of them to take fire and blaze out at the top, or shall fire any gun or other fire-arm, or shall make or cause to be made, or sell or utter or offer to expose to sale, any squibs, rockets or other fireworks, or shall cast, throw or fire any squibs, rockets or other fireworks within any of the said towns