

transactions therein, under the penalty of one shilling for every hour he shall neglect or refuse so to do, in order that such transactions may be regularly entered in the book directed by the before recited law to be kept by the principal officer aforesaid.

[Section IV.] And be it further enacted by the authority aforesaid, That the penalties and forfeitures imposed by this act shall be recovered, applied and appropriated in the same manner as the penalties and forfeitures inflicted by the said recited act are directed to be recovered, applied and appropriated.

[Section V.] And be it further enacted by the authority aforesaid, That the act of general assembly of this province passed in the first year of the reign of His present Majesty, entitled "A supplement to an act, entitled 'An act to prevent the exportation of bad and unmerchantable staves, heading, boards and timber,'" ¹ be and is hereby repealed and declared null and void.

Passed May 20, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed April 21, 1759, Chapter 439.

CHAPTER DLXIII.

AN ACT FOR CONFIRMING THE ESTATE OF PHILIP FOX IN CERTAIN LANDS MORTGAGED IN THE GENERAL LOAN OFFICE, SOME OF THE TITLE DEEDS WHEREOF THERE DEPOSITED ARE LOST.

Whereas a certain Godfrey Brown, of Wilmington, in the county of Newcastle, yeoman, the seventh day of May, in the year of our Lord one thousand seven hundred and fifty, mortgaged all that his messuage, plantation and tract of land situate, lying and being in the township of Cheltenham, in the county of Philadelphia, beginning at a stake standing on the westerly side

¹ Passed April 22, 1761, Chapter 469.

of Tacony creek, thence extending north thirty-one degrees west thirteen perches to a stake in the line of John Ashmead's land, thence along the said line southwest seventy-four perches to a stake, thence southeast by Samuel Bolton's land forty-nine perches to a white-oak tree, thence north twenty-four degrees east twenty perches to a small black-oak crooked sapling, thence southeast eight perches to a stake, thence north forty-eight degrees east twenty perches to a white-oak sapling, thence north eighty degrees east, sixteen perches to a hickory sapling, the four last-mentioned courses running by the said Bolton's land; thence north thirty degrees east by Edward Collins' land twenty-three perches to a stake standing on the easterly side of the said creek, thence up the several courses of the said creek on the easterly side of the same to the place of beginning, containing twenty-four [acres] and a half of land, be the same more or less, to the trustees of the general loan office of the province of Pennsylvania, to secure the payment of thirty pounds with [the legal] interest thereof:

And whereas the said Godfrey Brown and Anna Margaret, his wife, as well for and in consideration of the mortgage moneys aforesaid which a certain Philip Fox undertook to pay as of the further sum of one hundred and thirty-five pounds eleven shillings six pence lawful money of Pennsylvania unto him the [said] Godfrey Brown and Anna Margaret, his wife, in hand well and truly paid by the said Philip Fox, granted, bargained and sold unto the said Philip Fox, his heirs and assigns, the above described premises with the appurtenances thereunto belonging:

And whereas the said Philip Fox, pursuant to the covenant and agreement before mentioned in the deed of conveyance aforesaid for the tract of land aforesaid from the aforesaid Godfrey Brown and wife, has since discharged the mortgage moneys [so as] aforesaid [due]:

And whereas at the time of discharging the mortgage moneys aforesaid there were missing of the title deeds of the said premises (pledged to the trustees aforesaid according to the usual rule and custom of their office for the payment of the mortgage moneys aforesaid) a deed from Edward Collins to Benjamin

Morris, and a deed from Benjamin Morris to the said Godfrey Brown, under whom and in whose right the said Philip Fox is now seized by indenture of the premises above mentioned:

And whereas as well at the time of discharging the mortgage-moneys aforesaid as at several times since diligent search has been made for the deeds aforesaid as well in the general loan office as elsewhere, and they are not now to be found:

Therefore the said Philip Fox, in order to prevent the damages and mischiefs which may arise from the loss of the said deeds, most humbly prays that it may be enacted:

[Section I.] And be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and 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 the said Edward Collins and his heirs and the said Benjamin Morris and his heirs and all and every other person and persons claiming or to claim any estate, right, title or interest in or to the said tract of land, hereditaments and premises hereinbefore described by, from or under them or any or either of them, shall be and hereby are declared to be barred and forever excluded of and from all such claim, right, title or interest; and that the said premises shall be vested in the said Philip Fox and his heirs and assigns from and after the publication hereof fully and absolutely, freed, exonerated and discharged of and from all such claims, rights or titles to all intents and purposes whatsoever, saving to all and every other person and persons, bodies politic and corporate, their respective heirs, successors, executors and administrators, other than the said Edward Collins and Benjamin Morris, their heirs and assigns, all such estates, rights, titles, interests, claims and demands of, in, to and out of the above mentioned premises vested by this act in the said Philip Fox, his heirs and assigns forever, as aforesaid, as they or any of them had before the passing of this act, or could or might have had or enjoyed in case this act had never been made.

Passed May 20, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II.

CHAPTER DLXIV.

AN ACT TO ENABLE THE OWNERS AND POSSESSORS OF LEAGUE ISLAND TO KEEP THE BANK, DAMS AND SLUICES IN GOOD REPAIR FOREVER AND TO RAISE A FUND TO DEFRAY THE EXPENSE THEREOF.

Whereas there is a certain tract of marsh or meadow ground within the county of Philadelphia and adjacent to Greenwich Island, called and known by the name of League Island, which the owners thereof have embanked and drained and made other improvements thereon; but forasmuch as such improvements are from their own nature and situation subject to many casualties, and without constant care and expense not only liable to decay, but the defect of one part is often destructive and ruinous to many, and among a number of owners such frequent disputes arise concerning repairs and the means of defraying the necessary expense thereof that oftentimes from little neglect great damages ensue and the heavy charges of many owners may be rendered ineffectual through the default of a few, to prevent which damages and inconveniences and for the security and encouragement of the said owners and undertakers of this improvement they pray that it may be enacted:

[Section I.] [And be it enacted] by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and 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 all and every owner or owners of the marsh or meadow land [within] the island aforesaid, or so many of them as shall think fit, may meet and assemble on the first Monday