

the neat proceeds of the said lottery, and shall also pay into the hands of such person or persons as shall be appointed by the elders of the said High Dutch Reformed congregation to receive their distributive share of the neat proceeds of the said lottery, which person or persons so receiving the said sums [*sic*] or sums of money are hereby enjoined and required to settle with and account for the same with the minister, vestry and wardens of St. James's church and with the elders of the said High Dutch reformed congregation respectively.

[Section IV.] And be it further enacted by the authority aforesaid, That this act and every article, clause and thing therein contained shall be and continue in full force for and during the term of three years from the publication thereof, and from thence to the end of the next sitting of assembly and no longer.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I. Expired.

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## CHAPTER DXCIII.

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A SUPPLEMENT TO AN ACT, ENTITLED "AN ACT FOR ERECTING PART OF THE COUNTIES OF PHILADELPHIA, CHESTER AND LANCASTER INTO A SEPARATE COUNTY."<sup>1</sup>

Whereas by the said act of general assembly of this province, passed in the twenty-fifth year of His late Majesty's reign, entitled "An act for erecting part of the counties of Philadelphia, Chester and Lancaster into a separate county,"<sup>1</sup> it is enacted that the boundaries of the said county shall be as follows, to wit: "By a line at the distance of ten superficial miles southwest from the western bank of the river Schuylkill, opposite to the mouth of a creek called Monocasy, to be run northwest to the extremity of the province and southeast until it shall intersect the line of Chester county, then on one straight line cross-

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<sup>1</sup> Passed March 11, 1752, Chapter 392.

ing the river Schuylkill aforesaid to the upper or northwestward line of McCall's Manor, then along the said line to the extremity thereof and continuing the same course to the line dividing Philadelphia and Bucks counties, then along the said line northwest to the extent of the county aforesaid."

And whereas Edward Scull, Benjamin Lightfoot and Thomas Cookson, or a majority of them, were required, authorized and enjoined by the said act within six months after passing the same to run out and mark the said boundary lines:

And whereas the said northwest line dividing the counties of Lancaster, Cumberland and Berks and the line dividing the said counties of Berks and Northampton were left imperfect and unfinished, they the said Edward Scull, Benjamin Lightfoot and Thomas Cookson not having continued the said line further than the settlements at that time made:

And whereas many inhabitants are now settled and new settlements making beyond the said lines, and disputes have arisen and are likely to arise concerning the true limits and bounds of the said counties of Lancaster, Cumberland, Berks and Northampton by reason that the boundary lines aforesaid have not been completed:

Now to the end that the true boundaries between the said counties respectively may be ascertained and known and all disputes concerning the same settled and removed:

[Section I.] 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 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 it shall and may be lawful to and for William McClay, William Scull and John Biddle, junior, or a majority of them, and they are hereby enjoined and required within the space of nine months next after the publication of this act to assemble themselves together and to extend, run and mark out by actual survey the boundary lines between the said counties of Lancaster, Cumberland and Berks and between the said

county of Berks and the county of Northampton by continuing the said due northwest course from the southeast ends of the lines already run between the said counties respectively as far as the lands lately purchased by the honorable the proprietaries of this province from the Indians do extend; and that the costs, charges and expenses of running, surveying and marking out the said line so far as the same shall run between the said counties of Lancaster and Berks shall be paid equally by and between the said counties of Lancaster and Berks; and that the costs, charges and expenses of running the said line so far as the same shall extend between the said counties of Cumberland and Berks shall be paid equally by and between the said counties of Cumberland and Berks; and that the costs, charges and expenses of running, surveying and marking the said line between the counties of Berks and Northampton shall be equally paid by and between the said counties of Berks and Northampton out of their respective county stocks; and to that end so much money as shall be necessary for the purposes aforesaid shall be assessed, levied and raised by the commissioners and assessors of the said counties respectively in such manner and under such penalties as other public money for the use of the said counties by law is directed to be assessed, levied and raised.

[Section II.] And be it further enacted by the authority aforesaid, That each of the said surveyors for running and surveying the said lines shall have and receive for their trouble the sum of twenty shillings per diem and no more, and that each and every other person who shall be necessarily employed in carrying the chain or clearing the way for the said surveyors shall have and receive five shillings per diem and no more.

Provided always, That no action or suit now commenced or depending in either of the counties of Lancaster, Cumberland, Berks or Northampton against any person living within the bounds of the said county of Berks by this act intended to be run and ascertained shall be discontinued or stopped by this act or anything herein contained, but that the same actions already commenced or depending shall and may be prosecuted and judgment thereupon rendered and execution awarded in the same manner and to the same effect as if the said actions had been

commenced in the proper county; and that all taxes already laid within the bounds of the said county of Berks hereby intended to be run and ascertained which are not already collected and paid shall be collected by the respective collectors and paid into the hands of the respective treasurers of the counties where such taxes were laid and that all persons concerned in the levying, receiving and paying the said taxes shall have the same power and authority and be under the same penalties and restrictions for collecting and paying the same as if the said taxes had been assessed and laid by the commissioners and assessors of the proper county, anything in this act or the act to which this act is a supplement to the contrary in any wise notwithstanding.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I, and the note to the Act of Assembly passed March 11, 1752, Chapter 392.

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## CHAPTER DXCIV.

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AN ACT FOR REGULATING, PITCHING, PAVING AND CLEANSING THE HIGHWAYS, STREETS, LANES AND ALLEYS, AND FOR REGULATING, MAKING AND AMENDING THE WATERCOURSES AND COMMON SEWERS WITHIN THE INHABITED AND SETTLED PARTS OF THE CITY OF PHILADELPHIA, FOR RAISING OF MONEY TO DEFRAY THE EXPENSES THEREOF AND FOR OTHER PURPOSES THEREIN MENTIONED.

Whereas the paving the streets, lanes and alleys within the inhabited and settled parts of the city of Philadelphia so far as they have been already paved and the keeping the same clean hath greatly contributed to the preservation of the health of the people inhabiting therein and resorting thither:

And whereas the law for effecting these good purposes is near expiring and divers streets, lanes and alleys within the said city remain yet unpaved:

[Section I.] 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