

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 the capital offense and offenses which hath or have been committed by the said Lazarus Stewart, and by James Stewart, William Stewart, John Simpson, William Speedy, William Young, John McDaniel (alias Donnell) and Richard Cook, his accomplices, aiders and abettors in the said murder, and by any or either of them, shall be inquired of, heard, tried and determined in the county of Philadelphia in the same manner and form as if the facts had been committed in the same county, any law, usage or custom to the contrary in any wise notwithstanding.

Passed March 9, 1771. Referred for consideration by the King in Council, October 9, 1771, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIX.

CHAPTER DCXXXI.

AN ACT FOR APPOINTING COMMISSIONERS FOR OPENING AND MAINTAINING PARTS OF TWO ROADS THEREIN MENTIONED.

Whereas by virtue of an order from the governor and council a provincial road has been laid out from the town of Reading in the county of Berks, through Tulpehocken to the Susquehanna, on the south side of Machanoy Mountain near Fort Augusta:

And whereas by virtue of one other order from the governor and council another road has also been laid out from a road near Ellis Hughes's saw-mill and Schuylkill to Fort Augusta on the Susquehanna:

And whereas parts of both the said roads pass through a large tract of unimproved country where no townships are laid out, so that there is no law by which such parts of the said roads can be opened:

And whereas the said roads will when opened be of great public utility and benefit:

[Section I.] Be it therefore 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 John Philip de Haas, Frederick Weiser, Benjamin Spyker, Michael Tyce and Nicholas Swengle, gentlemen, be and are hereby constituted and appointed commissioners for opening, clearing and maintaining the said road laid out from the town of Reading through Tulpehocken to Susquehanna, so far as the same is not already opened, who, or a majority of them, shall have full power and authority by virtue of this act to take, collect, recover and receive of and from any person or persons whatsoever any sum or sums of money which are or shall be hereafter given or subscribed for and towards opening the said road; and that Thomas Wright, Joseph Penrose, Ellis Hughes, Samuel Hunter, the younger, and Isaac Willets, gentlemen, be and they are hereby constituted and appointed commissioners for opening, clearing and maintaining the said road laid out from a road near Ellis Hughes's saw-mill and Schuylkill to Fort Augusta, so far as the same is not already opened, who, or a majority of them, shall have full power and authority by virtue of this act to take, collect, recover and receive of and from any person or persons whatsoever any sum or sums of money which are or shall be given or subscribed [for and] towards opening, clearing and maintaining the said last-mentioned road, which said sums of money, when so received by the said respective commissioners, shall be appropriated and applied for and towards opening, clearing and maintaining the said roads respectively so far as aforesaid, according to the true intent and meaning of the said donations and subscriptions.

[Section II.] And be it further enacted by the authority aforesaid, That the said commissioners shall make report of their transactions in opening the aforesaid roads to the assem-

bly of this province for the time being, and shall lay before them a faithful account of all and every sum and sums of money by them had and received for opening the said roads and in what manner the same shall be expended and laid out, that the same may be adjusted and settled.

Passed March 9, 1771. Referred for consideration by the King in Council, October 9, 1771, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIX.

CHAPTER DCXXXII.

AN ACT APPOINTING WARDENS FOR THE PORT OF PHILADELPHIA AND FOR THE BETTER REGULATING PILOTS PLYING IN THE RIVER AND BAY OF DELAWARE, AND THE PRICE OF PILOTAGE TO AND FROM THE SAID PORT.

Whereas frequent and heavy losses have arisen to the merchants and others trading to and from the port of Philadelphia from the ignorance and misconduct of unskilful persons acting as pilots in the bay and river Delaware and from the want of proper regulations being established, to the great injury of the trade of the province:

For remedy whereof:

[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 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 Peter Reeve, Michael Hulings, Robert Morris, Thomas Penrose, John Nixon, Oswell Eve, Robert White, John Maxwell Nesbitt and Samuel Mifflin are hereby nominated and appointed wardens of the said port of Philadelphia, and that it shall and may be lawful for them, or any three of them, the president hereinafter directed to be chosen being one, as soon as