

shall bear an interest of six per centum per annum from and after the first day of July, one thousand seven hundred and eighty-three, and shall be transferable in like manner as promissory notes are.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said comptroller-general be, and he is hereby authorized and empowered forthwith to prepare certificates to be printed at the expense of this state in such manner as may be needful agreeably to the principles contained in the foregoing section, and the said certificates so prepared and issued by him shall be receivable as specie in payment for the purchase money of lands either within the late Indian purchase or the new purchase when made agreeably to the regulations laid down in the act for opening the land-office.

Passed April 1, 1784. Recorded L. B. No. 2, p. 334, etc. See the Act of Assembly passed March 1, 1766, Chapter 1202.

CHAPTER MCI.

A FURTHER SUPPLEMENT TO THE LAWS RESPECTING THE WARDENS OF THE CITY OF PHILADELPHIA.

(Section I, P. L.) Whereas, in and by an act of general assembly passed on the ninth day of March, in the year of our Lord one thousand seven hundred and seventy-one, entitled "An act for regulating and continuing the nightly watch, enlightening the streets and alleys in the city of Philadelphia, and for other purposes therein mentioned,"² and by two several supplements thereunto, the one passed on the sixth day of April, in the year of our Lord one thousand seven hundred and seventy-six,³ and the other on the ninth day of May, in the year of our Lord one thousand seven hundred and eighty,⁴ certain authorities were

¹ See Acts of February 26, 1773, Chapter 671, and April 1, 1784, Chapter 1095.

² Passed March 9, 1771, Chapter 636.

³ Passed April 6, 1776, Chapter 719.

⁴ Passed May 30, 1780, Chapter 910.

vested in, and certain duties required from the wardens of the said city:

And whereas the said wardens labor under many difficulties in the execution of the trust committed to them. For the removal thereof:

[Section I.] (Section II, P. L.) Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That wardens of the said city for the time being respectively shall forever hereafter, in name and in fact, be one body politic and corporate in law; and that they, or the majority of them by the name of "The Wardens of the city of Philadelphia," may sue and be sued, plead and be impleaded in any courts of judicature in this commonwealth, and by that name shall have authority to purchase, take and receive any lands, tenements or hereditaments, goods and chattels, sum or sums of money for the uses in the said act and the supplements thereto mentioned, or to such other uses and purposes as may by law hereafter be directed; and may also repair, demise and to farm-let, for any term not exceeding three years, the market houses, public ferries and ferry houses, wharves, landing places, the fish house and scale house, within the said city, reserving such rents and conditions, and establishing such rates and prices, and the[y] shall deem reasonable for the toll or wharfage of such articles as are usually brought to such wharves or landing places, and restraining the tenants from taking higher rates and prices, and in all things to abide by such regulations, rates and orders, as shall by the said wardens or the majority thereof, be established; and generally, shall have authority to do and execute all and every matter and thing necessary for the due performance of the trust reposed in them.

(Section III, P. L.) Provided always nevertheless that nothing herein contained shall authorize the said wardens to demise or let any of the market houses, market places, public ferry houses, wharves, landing places, fish house, scale house or other public property within the city for any private or other use than the same were originally granted and intended for.

[Section II.] (Section IV, P. L.) And be it further enacted

by the authority aforesaid, That all lands and tenements heretofore granted, bargained and sold or conveyed to the wardens of the said city for the time being, by whatever name or names they may be distinguished in the deed or deeds conveying the same, shall be, and are hereby vested in the said wardens, to have and to hold, to them and their successors, freed and discharged from all claims and demands of the said persons named in the said deeds and their heirs and assigns, and every of them, subject to the uses, intents, trusts, dispositions and directions, for and to which the same in the said deeds or conveyances have been respectively limited and appointed.

(Section V, P. L.) Provided that nothing herein shall destroy or affect the right, title or claim, which any person may have to such lands or tenements, except that of the said persons named in the said deed or deeds, and created by or derived therefrom.

(Section VI, P. L.) And whereas, by an act of general assembly passed the twenty-first day of March, one thousand seven hundred and seventy-seven, the appointment of certain officers therein mentioned was vested in the supreme executive council, until a more permanent regulation could be made, and it is proper that the appointment and superintendence of the clerk of the market and corders of wood should now be vested in the said wardens.

[Section III.] (Section VII, P. L.) Therefore be it enacted by the authority aforesaid, That from and after the passing of this act, the said wardens, or the majority of them, shall from time to time, as they find it necessary, appoint a proper person to be clerk of the market, and a competent number of proper persons to be corders of wood in the said city, and the same at their pleasure may remove.

[Section IV.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That every person so appointed a corder of wood before he enters on his said office, shall take and subscribe an oath or affirmation before some magistrate of the said city, faithfully and impartially to perform his duty and trust, to the best of his knowledge and capacity; which oath or affirmation any magistrate of the said city is hereby au-

thorized and directed to administer. And if any one or more of the said corders, during his or their continuance in office, or any carter or other person, shall be in any manner concerned in buying any fire wood brought or coming to the said city, or to the Northern Liberties, or district of Southwark, for sale, with intention to sell the same or any part thereof he shall forfeit and pay the sum of five pounds for every such offense, one-half to the informer, the other half to the treasurer of the said wardens, for the uses and purposes in the said act mentioned, to be recovered before any magistrate of the city or county where the offense may be committed in the same manner that debts under five pounds usually are recovered.

(Section IX, P. L.) And whereas the inhabitants of the said city labour under many inconveniences, by reason of the practices made use of to enhance the price of fire wood:

For remedy whereof:

[Section V.] Be it enacted by the authority aforesaid, That if any fire-wood landed or placed on any of the said public wharves, quays or landing places, in the said city or in the township of the Northern Liberties or district of Southwark shall from and after the first day of May next, be suffered to lie and remain thereon for the space of forty-eight hours, the same, if within the said city, shall be seized by the said wardens, or any one or more of them, and if in said township or district, by one or more of the overseers of the poor of the said township or district respectively, and shall be sold at public vendue, for the highest price that can be got for the same; and after the reasonable costs and charges attending the sale are deducted and retained, the moneys arising therefrom shall be paid to the owner or owners of such wood. And if the purchaser or purchasers of the wood so seized and sold or any part thereof, shall suffer the same to lie and remain on the said wharves, quays or landing places, for the space of twenty-four hours after such sale, the same shall be forfeited to the overseers of the poor of the said city, township or district respectively where the offense shall happen, for the use of the said poor, and be liable to be seized and removed by the said overseers, or any one or more of them.

(Section X, P. L.) Provided always, That no such sale shall be made, except in the day time, between the hours of ten in the forenoon and four in the afternoon, nor until public notice of such sale be given at or near the place where the same wood shall be sold for at least two hours before such sale shall begin.

[Section VI.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That no ship or vessel whatever, except those which shall ply in the river Delaware and bring fire wood, hay, coal, stone, sand and every other article of lumber or provisions to market shall be hauled to or suffered to lie at any of the said public wharves, quays or landing places, for the space of one hour, under the penalty of five pounds, unless compelled thereunto by stress of weather, to be recovered from the master, commander, or other person having charge of such ship or vessel, in the manner mentioned in the seventh section of this act, and applied as therein directed. And if any master, commander or other person having charge of such ship or vessel, shall, after notice given to him to remove such ship or vessel from such wharves or landing places, by any two of the wardens of the said city, neglect so to do for the space of twenty-four hours after the cause which shall have forced the said ship or vessel thither shall have ceased, he shall forfeit and pay the sum of one hundred pounds, half to him that will sue for the same, and the other half to the wardens of the said city, for the purposes specified in the above [mentioned] act, to be recovered by action of debt in any court of record in this commonwealth.

[Section VII.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That from and after the passing of this act, the said wardens, and no other person or persons whatsoever, shall have authority to appoint a proper person to be constable of the night, and the same at their pleasure to remove.

[Section VIII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That if any action shall be brought against any one or more of the said wardens, overseers of the poor, or other person, for anything done by virtue and in pursuance of this act, he or they may plead the general issue,

and give this act and any special matter in evidence; and if the plaintiff shall fail in his action, discontinue the same, or become non-suit he shall pay double costs.

[Section IX.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That so much of the aforesaid act of assembly, passed on the twenty-first day of March, in the year of our Lord one thousand seven hundred and seventy-seven, as is hereby altered or supplied, shall be, and hereby is declared to be repealed, made null and void.

(Section XV, P. L.) Whereas by an act of the late province now state of Pennsylvania passed the twenty-ninth day of September, one thousand seven hundred and seventy the then mayor and recorder or either of them and the aldermen of the city of Philadelphia with the wardens of the said city were empowered to fix within the city of Philadelphia the rates of wagoners, carters, draymen and porters from time to time and regulate the same.

(Section XVI, P. L.) And whereas by the late glorious revolution the powers above mentioned became extinct by which means very great impositions have taken place:

For remedy whereof:

(Section XVII, P. L.) [sic] [Section X.] Be it further enacted by the authority aforesaid, That from and after the passing of this act the wardens of the city of Philadelphia together with any two justices of [the] peace of the said city, shall and they or a majority of them are hereby empowered and required to fix and regulate from time to time the rates of all wagoners, carters, draymen, porters and wood sawyers as fully and amply as the said mayor, recorder, aldermen and wardens could or might have done before the said revolution.

[Section XI.] (Section XVII, P. L.) Provided always, and be it further enacted by the authority aforesaid, That nothing herein contained shall be deemed or taken as a declaration of the right of the wardens aforesaid to the ferry house and ferry on Schuylkill commonly called and known by the name of the corporation ferry, but that the right thereto shall be and remain in the wardens aforesaid until it shall be determined otherwise by this or any future house of assembly.

Passed April 1, 1784. Recorded L. B. No. 2, p. 335, etc. See the Acts of Assembly passed February 26, 1773, Chapter 671; April 1, 1784, Chapter 1095.

CHAPTER MCII.

AN ACT INCORPORATING THE UNITED PRESBYTERIAN CHURCH IN LOWER PAXTON, LANCASTER COUNTY.

(Section I, P. L.) Whereas the minister, elders and others, members of the United Presbyterian Church in Lower Paxton, in the county of Lancaster, by their petition, have prayed that their said church may be incorporated and by law enabled as a body corporate and politic, to receive and hold such charitable donations and bequests as may from time to time be made to their society, and vested with such powers and privileges as are enjoyed by the other religious societies who are incorporated in this state:

(Section II, P. L.) And whereas it is just and right and also agreeable to the true spirit of the constitution, that the prayer of their said petition be granted:

[Section I.] (Section III, P. L.) Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That Jacob Awl, John Cavet, Samuel Cochran, Joshua Elder, John Foster, John Gilcrist, John Harris, William Kerr, Thomas McArthur, Junior, Alexander McClure, John Wiggins, John Wilson and the Reverend John Elder, pastor of the church aforesaid, and their successors duly elected and appointed, in such manner and form as herein after is directed, be and they are hereby made and constituted a corporation and body politic in law and in fact, to have continuance forever by the name, style and title of the "The Trustees of the United Presbyterian church in Lower Paxton, in the county of Lancaster."