

A correct
draft to be
made on oath
&c. and filed
with the
clerk of the
quarter ses-
sions.

Expenses
how paid.

mentioned," shall be, and the same is hereby established forever, and shall be always held and deemed to be as complete and valid as if the adjudication thereon had been signed by the whole of the freeholders required by law to sign the same; and the surveyors who made such survey are hereby authorized and empowered from the drafted plan of the original survey in their possession, to make a correct draft or plan of the survey of that part of said township north of Brown street, which they shall certify on oath or affirmation before the president of the court of quarter sessions of the said county of Philadelphia, to be in accordance with the plan returned by them under the act aforesaid, and the said plan with the certificates thereon shall be lodged for record with the clerk of the court of quarter sessions of the county of Philadelphia, and shall thenceforth be deemed and considered as valid to all intents and purposes as any plan formerly returned by them; and all expenses attending the performance of the duties prescribed by this act, shall be paid by the board of commissioners and inhabitants of the incorporated district of the Northern Liberties.

WILLIAM DAVIDSON, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the third day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER LXXIV.

AN ACT

To provide for the erection of a State Penitentiary on the public land adjoining the town of Allegheny opposite Pittsburg, in the county of Allegheny, and for other purposes.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That a penitentiary on the principle of solitary confinement of the convicts as the same now is or hereafter may be established by law, shall be erected on the public land adjoining the town of Allegheny in the county of Allegheny,*

and that the sum of sixty thousand dollars be, and the same \$ 60,000 ap- is hereby appropriated for that purpose, to be paid in the man- appropriated. ner hereinafter mentioned.

SECT. 2. *And be it further enacted by the authority afore-* How com-
said, That the select and common council of the city of missioners
Pittsburg at their first stated meeting in April next, shall in shall be ap-
joint meeting appoint five competent persons as commission- pointed.
ers who shall select a suitable site for a penitentiary, of not They shall
less than ten acres of the public land aforesaid, which is here- select a site,
by appropriated and set apart for that purpose; and the said. And make
commissioners shall make all the necessary contracts for building contracts for
building the said penitentiary, taking security for the faith- building.
ful performance of the said work in a good and workmanlike
manner; and in case of the death or resignation of any of the Vacancy
said commissioners before the completion of their trust, the how filled.
select and common council of said city shall supply such va-
cancy at any stated or special meeting: *Provided always,*
That the said commissioners shall not, nor shall either of Proviso.
them be in any manner concerned in or derive any advantage or
profit from the said contracts as principals, agents or otherwise.

SECT. 3. *And be it further enacted by the authority afore-* Plan of the
said, That the said penitentiary shall be constructed on the penitentiary.
plan exhibited to the legislature by the inspectors of the pri-
son of the city and county of Philadelphia, and that the said Commission-
commissioners are hereby directed to appoint a competent ers to appoint
architect as superintendant, which superintendant shall see a superin-
that the work is done in a workmanlike manner, and of sound tendant, his
and substantial materials, for which services he shall receive duty, and
any sum not exceeding five dollars for each and every day he compensa-
shall be necessarily employed in the duties of his appointment. tion.

SECT. 4. *And be it further enacted by the authority afore-* Accounts
said, That the said commissioners shall from time to time how examin-
examine all the accounts for the materials, superintending ed and paid.
and building the said penitentiary, and if approved by the
accountant officers they shall certify the same to the Gov-
ernor, who shall thereupon draw his warrant on the treasurer
in favor of the persons to whom the said accounts are due
and payable: *Provided,* That not more than fifteen thousand
dollars of the sum appropriated by the first section of this
act, shall be drawn from the state treasury within one year
from and after the passing of this act, and the residue thereof
in four equal semi-annual payments. Proviso.

SECT. 5. *And be it further enacted by the authority afore-* Sale of the
said, That the board of inspectors of the prison of the city Philadelphia
and county of Philadelphia, with the consent of a majority prison au-
of the commissioners of said county, the mayor, aldermen thorised.
and citizens of Philadelphia, the commissioners of the Nor-
thern Liberties, the commissioners of the district of South-
wark, or any two of the said corporations, the mayor, alder-
men and citizens of Philadelphia being one, be, and they
hereby are authorised to make sale of the public prison of
said city and county, and the lot of ground fronting on Wal-

Where the monies shall be deposited.

nut, Sixth and Prune streets whereon the same is erected, for the best price that can be obtained, convey the same in fee simple to the purchaser or purchasers thereof, and deposit forthwith in the Bank of Pennsylvania to the credit of the county of Philadelphia, all monies arising from such sale.

Prisoners in such case to be removed to the new prison.

SECT. 6. *And be it further enacted by the authority aforesaid,* That whenever a sale of said prison and lot shall have been effected, the inspectors shall as soon as conveniently may be, cause all persons then confined therein to be removed to the new prison on Mulberry street, and there safely kept, fed, clothed, treated and dealt with according to law, and to continue them therein until duly discharged or removed to such other penitentiary or prison as shall be erected for their reception and safe keeping.

Power to purchase a lot for a new penitentiary.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said board of inspectors may and shall at any time after such sale, with the consent of a majority of the commissioners of the county of Philadelphia, the mayor, aldermen and citizens of Philadelphia, the commissioners of the Northern Liberties, and commissioners of the district of Southwark, or any two of the said corporations, the mayor, aldermen and citizens of Philadelphia being one, select and purchase for the use of the city and county of Philadelphia a suitable, spacious and convenient lot within the same for the scite of a new penitentiary or public prison.

And to erect the same.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the said inspectors may and shall erect or cause to be erected on the lot so purchased, a new penitentiary or public prison adapted to the solitary confinement of convicts, and draw their checks or orders on the Bank of Pennsylvania for so much of the monies accrued from the sale hereinbefore authorised as shall from time to time be wanted for paying the purchase money of such lot, and the necessary expenses of erecting thereon such new penitentiary or public prison, and in favor of the commissioners of the county of Philadelphia for such surplus as shall remain or exceed the estimated or actual expense of such lot and building.

Accounts of the inspectors how to be audited.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the accounts of said inspectors shall be annually examined, audited and settled by the auditors of the said county in the manner prescribed by law for the settlement of other accounts appertaining to the affairs of said county.

WILLIAM DAVIDSON, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the third day of March, one thousand eight hundred and eighteen,

WILLIAM FINDLAY