

court shall appoint one of them constable for said borough, which constable, when so appointed by the court, shall have the same power, and be subject to all the penalties and regulations, which constables have and are subjected to under the laws which now or hereafter may exist within this commonwealth.

REES HILL, *Speaker*
of the *House of Representatives*.

JOHN TOD, *Speaker of the Senate*.

APPROVED—the eleventh day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER LXXIX.

AN ACT providing for the sale of the State House and State House Square in the city of Philadelphia.

SECT. I. *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 the governor be, and he is hereby authorised and required, on Commission- or before the first day of May next, to appoint three commis-ers to be ap- sioners, neither of whom to reside within the city or county of pointed. Philadelphia, whose duty it shall be to proceed and lay out a street or streets through the public ground called the "State House Square," in the city of Philadelphia, in such manner as in their opinion will most conduce to the value of the property.

SECT. II. *And be it further enacted by the authority afore-* said, That when the said commissioners shall have laid out the state house square as aforesaid, they shall divide it into lots To lay out the square in lots, suitable for building, so as that in their opinion they will accom- modate purchasers and produce the best price, and having so laid out the ground, they shall deposit a draft or map thereof in the office for recording of deeds in the city of Philadelphia, where the same shall be filed.

SECT. III. *And be it further enacted by the authority afore-* and value the said, That when the said lots shall be laid out as aforesaid, the same at not said commissioners shall value the same, and assess such sum less than upon each as that the amount of the whole of the valuation shall \$150,000 in not be less than one hundred and fifty thousand dollars, none of the whole. which lots shall be sold or struck off at the sales hereinafter di- Not to be sold for less rected, unless they shall respectively be bid to such sum as shall than the have been assessed thereon by the said commissioners. valuation.

SECT. IV. *And be it further enacted by the authority afore-* said, That when the lots shall have been laid out so as aforesaid Notice to be and valued, the commissioners shall give notice of the time and given of the place of sale, in four of the daily newspapers published in said time of sale. city, at least thirty days previously thereto, and at the time and

place specified sell the same to the highest and best bidder :
 Provided, That the said commissioners, if they think necessary, shall have power to adjourn the sales from day to day, or from one time to another, or to any other place within the said city, giving notice of the time and place of sale as aforesaid, until the said lots shall be all sold : *And provided further*, That if the first instalment on the purchase money of any lot or lots remain unpaid ten days after the sale, the commissioners aforesaid shall be authorised to re-sell said lot or lots, charging any deficiency that may happen at second sale to the first purchaser, who shall pay the same and forfeit his right of the purchase.

2d proviso.
 First instalment to be paid within ten days.

SECT. v. And be it further enacted by the authority aforesaid, That the purchaser or purchasers shall pay the amount of the purchase money as follows, viz : One-third part of the purchase money on the day of sale, one other third part thereof one year after the day of sale, and the remaining one-third part at the end of two years from the day of sale, into the Bank of Pennsylvania, to the credit of the state, at the payment of which last third part, the others having been paid as aforesaid, the purchaser shall receive a title in the name of the commonwealth from the governor, in fee simple, who is hereby directed to execute the same, and until the payments shall have been so made, the purchase money shall be a lien on the property sold, in favor of the state ; and the aforesaid sum or sums of money, being the nett proceeds of the sales directed by this act, shall be reserved and are hereby pledged as a fund for the purpose of building, or to replace the sum or sums of money which may be drawn from the treasury and expended in building a state capitol at the seat of government.

Of payments.

Proceeds of the sales pledged for building a capitol.

SECT. VI. And be it further enacted by the authority aforesaid, That it shall be the duty of the said commissioners to cause the large clock, the property of the state, now remaining within the state house, if they shall think the same of sufficient value to warrant the expense, to be safely removed to and deposited in Harrisburg, where it shall remain under the care of the secretary of the commonwealth for the time being ; but if in their opinion, the value of the clock will not warrant its removal as aforesaid, they are hereby empowered to sell the same for the best price that can be obtained, either separately or with the house and lot to which the same is attached.

Clock may be removed to Harrisburg.

SECT. VII. And be it further enacted by the authority aforesaid, That if the corporation of the city of Philadelphia, known by the name of the "Mayor, aldermen and citizens of Philadelphia," shall, at any time ten days previously to the day to be appointed for the sale of the said lots or the first day of June next, contract with the governor, who is hereby authorised to make the contract, for the sale of the state house and square, with the exceptions hereinafter made, together with the aforesaid clock, for the sum of seventy thousand dollars, and pay into the Bank of Pennsylvania, to the credit of this commonwealth, one-third part of the purchase money, and deposit a receipt therefor within five days thereafter in the hands of the state treasurer, or

Property offered to the corporation for \$70,000.

of the payments.

the commissioners appointed to make sale of said state house and square, it shall be the duty of the governor or commissioners, as the case may be, to stop the sale of said lots; and on the said corporation making payments of the residue of the purchase money, in the same proportion, manner and times that payments are hereinbefore directed to be made for lots, the governor shall, when the whole purchase money shall have been paid, make a deed in the name of the commonwealth for said state house and square, vesting the title in the said corporation in fee simple: *Provided always, nevertheless, and it is hereby declared* to be the true intent and meaning hereof, that no part of said ground, lying to the southward of the state house within the wall as it is now built, be made use of for erecting any sort of buildings thereon, but that the same shall be and remain a public green and walk for ever. Proviso.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That each of the said commissioners, before he enters upon the duties prescribed by this act, shall take and subscribe an oath or affirmation before some judge, alderman or justice of the peace in this state, faithfully and according to the best of his understanding, to perform the duties enjoined and required of him by this act, and shall receive three dollars per day for each and every day he shall necessarily be employed in transacting the business aforesaid, to be paid out of any monies in the treasury not otherwise appropriated. Commissioners to be sworn.
Their compensation.

SECT. IX. *And be it further enacted by the authority aforesaid,* That there is hereby excepted out of the state house square, and shall not be liable to be sold; the two lots, one on the north-east corner and the other on the north-west corner of said square, as the same have been reserved and excepted for the use of the county and city of Philadelphia, under the third section of the act of the seventeenth of February, one thousand seven hundred and sixty-two; and the lot on the east side of the said square, granted to the American Philosophical Society under the act of the twenty-eighth of March; one thousand seven hundred and eighty-five; and the two public offices, which, by the act of March the twenty-fourth, one thousand eight hundred and twelve, were put into the possession of the commissioners of Philadelphia county, which said offices are hereby released from the claim of the state, and given and granted, in fee simple, in lieu of the expense laid out in repairs on the state house yard, and the offices and ground on which they stand, or on which they are allowed by said act to stand, are hereby granted and confirmed to the said city and county of Philadelphia for ever. Certain lots excepted out of the sale.

SECT. X. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the secretary of the commonwealth, annually, during the second week of the first session of the legislature, until the aforesaid duties shall be completed, to report how far the commissioners appointed to make sale of the state house and ground attached thereto, have performed the duties assigned them, and the auditor general to report what money has been received from the sale of the state house and Duties of the secretary of the commonwealth and auditor genl.

lots aforesaid : and so much of any act or acts as by this act has been altered or supplied, be, and the same is hereby repealed.

REES HILL, *Speaker*
of the *House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the eleventh day of March, one thousand eight hundred and sixteen.

SIMON SNYDER.

CHAPTER LXXX.

An ACT making an appropriation for the erection of piers in the river Delaware, at the borough of Chester, in Delaware county.

SECT. I. *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 the sum of ten thousand nine hundred and thirty-five dollars and thirty-two cents, now in the treasury of this commonwealth, collected by the board of wardens on the tonnage of vessels, under the act entitled, “An act to empower the board of wardens for the port of Philadelphia, to collect a certain tonnage for the purposes therein mentioned,” passed the first day of April, one thousand eight hundred and five, be, and the same is hereby appropriated to be employed for the erection of piers in the river Delaware, at the borough of Chester.

\$10,935 32
appropriated
for erecting
piers at Ches-
ter, out of a
certain fund.

SECT. II. *And be it further enacted by the authority aforesaid,* That David Porter, Joseph Engle and William Graham, shall be, and they are hereby appointed commissioners to do and perform the several acts and things required by this act.

Commission-
ers to erect
piers and
wharves.

SECT. III. *And be it further enacted by the authority aforesaid,* That the said commissioners shall cause to be erected, placed and sunk in the said river Delaware, at the borough of Chester, two or more good and sufficient piers, for the security of vessels navigating the said river, and shall also cause to be built and constructed good and sufficient wharves, to be so connected with the said piers, as to afford a safe and easy landing from vessels coming to at the same; and for this purpose they shall have power to employ suitable workmen, and to obtain cessions to the commonwealth, of ground within the said borough of Chester, necessary for the erection and construction of such wharves and piers: *Provided,* That said cessions be obtained without any consideration from this commonwealth.

One-third
payable when
the work is
commenced.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the state treasurer be, and he is hereby required, whenever the said work shall be commenced, to pay to the said commissioners, or their order, one-third of the sum by this act granted, one-third more thereof on the completion of the first pier, and the remainder thereof after the completion of the said work.