

1786.

## CHAPTER MCCII.

*A SUPPLEMENT to an act, entitled "An Act for vesting in the American Philosophical Society, held at Philadelphia, for the promoting useful knowledge, a certain lot of ground, being part of the state-house square." (l)*

Passed 17th March, 1786.—Private Act.—Recorded in Law Book No. III. page 93.

(l) By this act the society were empowered to let the vaults or cellars of the building erected on the lot granted to them by a former act (ante. chap. 1136,) and, also, such other parts of the building as they deem proper, for purposes that have an affinity with the design of their institution, and no other; and provided, that the rents and profits are applied to such purposes. See vol. 1, page 302. (*Note to former edition.*)

## CHAPTER MCCV.

*An ACT authorizing the Supreme Executive Council to appoint a commissioner, or commissioners, to view and open a road from the Lehigh Water-Gap, in the county of Northampton, to Wyoming, in the county of Northumberland, and for other purposes therein mentioned.*

[SECT. I. COMMISSIONERS to be appointed to lay out a state highway from the *Lehigh Water-Gap* to *Wyoming*, to be of the breadth of sixty feet, throughout the whole length of the same. The executive had power either to confirm the report or to order a review thereof. And the said highway, when established, to be and remain a state highway, and the courses and distances, and other circumstances of the said highway, to be entered at length in the council books, which entry shall be deemed a record thereof. Compensation was fixed to the commissioners, and £. 300 appropriated for the purposes of this act.] (m)

Passed 23d March, 1786.—Recorded in Law Book No. III, page 94.

(m) The return of this road is deposited in the secretary's office, with a draft, and the courses and distances annexed. But it does not appear to have been entered of record on the council books. See an act to incorporate a company to make a turnpike road from *Easton* to *Wilks Bayre*, passed 11th of February, 1803, (chap. 2317.)

## CHAPTER MCCVI.

*An ACT to empower the Wardens of the city of Philadelphia to extend the market-house in High-street, from Third-street to Fourth-street, from Delaware river, and to continue the same from time to time westwardly, from one street to another, in the middle of High-street, as the Wardens of the said city shall think necessary, and for other purposes therein mentioned. (n)*

SECT. I. WHEREAS, the inhabitants of the city of Philadelphia, and the counties bordering thereon, have represented to

(n) For the suppression of the Warden's office, and the transfer of their powers to the Corporation, see the act of the 11th of March, 1789, (chap.

this House the necessity there is of extending the market-house in High-street, westward, in the city of Philadelphia, that the old market-house was become by far too small for the accommodation of the people from the different parts of the country, who are often exposed to the inclemency of the weather, without shelter, in rain or snow, to the great danger of their health, and inconveniency of the inhabitants of the said city, and that custom and long usage have fixed High-street as the most eligible and central place for the market-house to be continued: 1786:

SECT. II. *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, from and after the passing of this act, it shall and may be lawful to and for the Wardens of the city of Philadelphia, or a majority of them, and they are hereby enjoined and required to contract for materials, and employ workmen to build and extend the market-house in High-street, along the middle thereof, from Third-street to Fourth-street, within the present or the next succeeding year, and so on from time to time, as necessity or occasion shall require, to extend the market-house in High-street from street to street, westward, as often as the Wardens of the said city, or a majority of them, shall think proper for the benefit and advantage of the inhabitants of the said city, and for the accommodation of the country people bringing provisions to market for sale.

The Wardens empowered, from time to time, to extend the market in High-street.

SECT. III. And in order to afford a convenient opportunity for the turning of waggons and other carriages, *Be it further enacted by the authority aforesaid,* That the first shambles or market-house, as it shall or may be extended in all or any of the said High-street, shall not approach or be continued nearer than thirty feet to the line or lines of any of the streets crossing the aforesaid High-street.

Boundaries of the market-house on the cross-streets.

SECT. IV. And in order that those, who attend the said market with herbage and vegetables, may be accommodated with a more convenient shelter under the eaves thereof, as well as to afford a wider space for the passage of carriages, *Be it further enacted by the authority aforesaid,* That the width or breadth of the said shambles or market-house shall not be more than eighteen feet, from the outside of any one pier or column thereof to the outside of any other pier or column of and opposite to the same; and that the roof of the said shambles or market-house shall have the same elevation and projection with that already erected, and no more.

Width of the market-house, and elevation of the roof.

SECT. V. *And be it further enacted by the authority aforesaid,* That for the better carrying on the said building, and for finishing and completing the same, until money can be raised on the inhabitants of the said city for defraying the expenses thereof, it shall and may be lawful to and for the Wardens of the city of Philadelphia, and they are hereby authorized and empowered, to borrow from any person or persons, bodies politic or corporate, who shall be willing to lend the same, any sum or sums of money, not exceeding in the whole two thousand pounds, to be by them applied towards the pay-

Money how to be raised and paid, to defray the expense.

1383.) See an act passed 29th of March, 1803, repealing and supplying all former laws, respecting the board of Wardens of the port of Philadelphia. (Note to former edition.)

1786. ment of the debts hereafter to be contracted by the said Wardens for the uses and purposes aforesaid; and that every lender of monies in pursuance of this act shall immediately receive a certificate, in writing under the hands and seals of the Wardens of the city of Philadelphia, or a majority of them, for the payment of the sum lent, with the interest agreed on, not exceeding six *per centum per annum*; which certificate shall be registered in a book to be kept by the Wardens for that purpose, and the interest money thereon accruing shall be paid by the said Wardens every year.

Certificates granted to the lenders of money transferable.

SECT. VI. *And be it further enacted by the authority aforesaid,* That all and every lender or lenders of money, his, her or their ex-ecutors, administrators or successors, may assign and transfer, his, her or their certificate, with all his, her or their right or interest there-in, by an endorsement thereon, to any other person or persons; and such assignee may, in like manner, assign, transfer, and set over the same again, and so on, *toties quoties*; and afterwards it shall not be in the power of the person so assigning to release, make void, or discharge the said certificate.

A tax to be assessed and raised for paying off the certificates.

SECT. VII. *And be it further enacted by the authority aforesaid,* That for the better enabling the Wardens of the city of Philadelphia to complete the market-house aforesaid, and to pay and discharge all and every of the said certificates, so by them, or a majority of them, to be issued and given for money borrowed, and the interest thereof, in manner aforesaid, it shall and may be lawful to and for the said Wardens to levy taxes upon the inhabitants of the city of Philadelphia, and upon all estates, real and personal, and taxables, within the bounds of the said city, in the same manner as taxes are by law le-vied and collected for the support of the nightly watch, and enlight-ening the streets, lanes and alleys of the city of Philadelphia, and so annually, until the whole of such certificates, both principal and in-terest, are finally discharged and paid; and also for the payment of such debts as may be contracted for the purpose aforesaid, over and above the said sum of two thousand pounds, so directed to be bor-rowed by the said Wardens, should that sum prove insufficient to an-swer the purposes hereby intended.

One half the market-house to be appropriated, free of rent, for the country people; the other to be rented by the Wardens.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That when the market-house shall be finished and completed, the one half of the building so erected shall be and remain free for the country people attending the said market for ever, and that no fees, tolls or perquisites, be demanded or exacted from them for the use thereof. And that the Wardens of the city of Philadelphia be au-thorized to let or demise the stalls, which they may erect in the other half of the said building, to any person or persons, for such yearly rents and reservations as shall be agreed upon; and the rent arising from such stalls shall be paid to the Treasurer of the Wardens of the city of Philadelphia for the time being, for the use of the said city, and for no other purpose whatsoever.

Passed 2<sup>d</sup> March, 1786.—Recorded in Law Book No. III. page 95. (o)

(o) By an act passed 19<sup>th</sup> of March, 1804, (chap. 2462.) The Select and Common Councils of the city of Phila-delphia, are authorized to erect new

Market-houses within the same as to them may appear most convenient and conducive to the interests of the citi-zens and others, &c. and to make such

regulations for the well government of the market as to them, shall appear useful and necessary, and not inconsistent with the existing laws of the commonwealth, provided that one half of the buildings so erected shall remain free for the use of the country people attending said market, and that no fees, tolls or perquisites, shall be demanded or exacted from them for the use thereof.

And by an act passed 25th of March, 1805. The said Councils, and the corporations of Southwark and Northern Liberties, are authorized to pass ordinances for regulating markets holden on Sunday.

By an additional supplement, passed 19th of March, 1810. The corporation of the city, as often as they shall think proper, may extend the market-house in High-street, or elsewhere, in the said city, or build a market-house or houses, and let or demise the one half of the stalls which they may erect, to

such persons from the country, as send or carry the produce of their farms to the said market, and to no others, and the other half, at their discretion, to such person or persons, butchers or victuallers, as to them may seem proper.

Whenever the market-houses in High-street shall be extended, it shall not be lawful for any victualler to sell any beef in the western moiety of any market house, or shambles, that may be erected at any time hereafter in High-street. But that the western moiety shall be let to such persons from the country, who send or carry the produce of their farms to market, and to no others; and that the one half of the stalls that may be erected elsewhere, shall also be let to such persons from the country who send or carry the produce of their farms to market, and to no others; *Provided*, That the annual rent so to be charged and received, shall not exceed twenty dollars *per* stall.

## CHAPTER MCCX.

*An ACT to empower the Justices of the Supreme Court to supply defects in the titles to lands, occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time, or accident.*

**SECT. I. WHEREAS** many persons have lost their deeds, conveyances and writings, relating to their lands, tenements, hereditaments and possessions, within this state, particularly during the late war between the United States of America and Great-Britain, some of whom, at the time of the invasion of this state by the British army, buried them under ground, with an intention of providing for their safety, whereby, and from other causes, they have been defaced, and, in many material places, rendered illegible: **For remedying of such imperfections, defects and losses,**

**SECT. II.** *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 where any person or persons have lost their deed or deeds, conveyances or writings, concerning their lands, tenements, hereditaments or possessions, or where the same are defaced, or rendered illegible, in whole, or in part, and if such person or persons shall be desirous to have the said defects and imperfections in their titles supplied, he, she or they, may apply to the Justices of the Supreme Court, or any two of them, by bill or petition, therein setting forth the case and the circumstances thereof; which said court, affidavit being made of the material facts, may, and they are hereby authorized and empowered to issue a subpoena for any person or persons, who may appear to be interested in the matters contained in the said

Deeds lost, or defaced, how to be supplied, on petition to the Supreme Court, or any two of the Justices thereof.