

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.

1786. bill or petition, if residing within this state, and if without the same, the said court may direct and order an advertisement to be published for three weeks, or more, in some of the public newspapers in the city of Philadelphia, giving notice of the said application, and requiring all persons whom it may concern to appear in court, in term time, or before the Justices thereof, or any two of them, in the vacation, at a certain place and time, to make their answer, upon oath or affirmation, to the said bill or petition: And when the answer is filed, or in case the parties subpoenaed, or any others, do not attend or answer, that in either case the said court, in term time, or the Justices thereof, or any two of them, in the vacation, may and shall examine any witness or witnesses who may be produced, or cause their depositions to be taken before some person or persons, by them authorized and appointed to take the same by commission or order, respecting the facts alleged in the said bill and petition, and have such other proceedings, in a summary way, to ascertain and establish the said facts, and make such order and decree in the premises, as to justice and equity shall appertain.

SECT. III. *And be it further enacted by the authority aforesaid,* That the record and proceedings made and had in manner aforesaid, or a copy thereof, authenticated under the hand of the Prothonotary and seal of the said court, may and shall, at all times thereafter, be read upon any trial or controversy respecting the lands, tenements, hereditaments, or possessions, described or mentioned in such bill or petition, and shall be taken and allowed as good and sufficient evidence of the facts so decreed and established, any law, usage or custom, to the contrary notwithstanding.

SECT. IV. *And be it enacted by the authority aforesaid,* That all and singular the proceedings, so to be had in the said Supreme Court, shall be at the expense of the party or parties exhibiting the bill or petition; and that the costs in such cases shall be taxed by the said court, or one of the Justices thereof, as nearly agreeable to the fees allowed for the like services in other actions, amicable or adversary, as circumstances will admit.

[SECT. V. *And be it enacted by the authority aforesaid,* That this act shall continue in force for the space and term of five years, from the first day of January next, and no longer.]

Passed 28th of March, 1786.—Recorded in Law Book No. III. page 101. (p.)

(p) By an act passed 19th of Jan'y, 1793, (chap. 1639,) this act is revived without limitation, and the same power vested in the respective courts of Common Pleas of the counties, with direc-

tion as to the mode of proceeding, and a declaration that a copy of the record shall be good evidence of the facts decreed.

Force of the record, and proceedings thereon as evidence.

The expense to be defrayed by the petitioner; and the costs taxed by the court.

Limitation of the act.