

that the said Catharine hath acknowledged that she could make no defense against the prayer thereof:

And whereas this house did on the third day of March, in the year of our Lord, one thousand seven hundred and eighty-four give leave to the said Robert Steward to bring in a bill agreeable to his said prayer:

[Section I.] (Section II, 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 the marriage of the said Robert Steward with the said Catharine be and the same is hereby declared to be dissolved, annulled and made void to all intents and purposes whatever, and the said Robert Steward and the said Catharine his wife, shall be and they are hereby respectively declared to be separated, set free and totally discharged from their matrimonial contract and from all duties and obligations to each other as husband and wife, as fully, effectually and absolutely to all intents and purposes as if they had never been joined in matrimony, or in any contract of matrimony, any law, usage or custom to the contrary thereof in any wise notwithstanding.

Passed March 22, 1784. Recorded L. B. No. 2, p. 281, etc.

CHAPTER MLXXXV.

AN ACT TO EMPOWER THE OWNERS OF GREENWICH ISLAND, WICCACOA AND MOYAMENSING MEADOWS TO MAKE A DAM ACROSS THE MOUTH OF HAY CREEK, AND ANOTHER DAM ACROSS HOLLANDER'S CREEK, AT THE STONE BRIDGE.

(Section I, P. L.) Whereas in the year one thousand seven hundred and fifty-nine, a law was obtained by the owners of Greenwich Island for embanking and draining the same; in the year one thousand seven hundred and sixty-one, another law was obtained by the owners of the Wiccacoa Meadows for the embanking and draining them; and in the year one thousand

seven hundred and sixty-seven, another law was obtained by the owners of the Moyamensing Meadows for the embanking and draining theirs: The three tracks are bounded and divided in part by Hay and Hollander's creeks: As the improvements which were made and maintained on both sides of said creeks under those laws are now greatly fallen into decay, the owners for their greater benefit do propose to make a dam across the said Hay creek at its mouth near the river Delaware, joining it to the old banks on both sides; also another dam across Hollander's creek at the stone bridge joining it to the old bank there, and to make sufficient gates or trunks therein for evacuating and taking in the water as the improvements may require and to repair and amend the same forever:

[Section I.] (Section II, 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 the managers elected, and to be elected for Greenwich Island banks, and the managers elected and to be elected for the Wiccacoa Meadow banks, and the managers elected and to be elected for the Moyamensing Meadow banks, or a majority of each joined together, are hereby appointed, authorized and empowered within two months after the publication of this act, to view the premises, and erect or cause to be erected the said two dams at the places before mentioned and appointed by this act, to choose and fix upon the most convenient and proper places where the mud shall be dug for making the said two dams.

(Section III, P. L.) And whereas the well draining of the meadows aforesaid is of great importance to the owners of meadows, and as Hay and Hollander's creeks now form the division lines between the three companies of Greenwich, Wiccacoa and Moyamensing, and the necessity of establishing a large and sufficient drain in the said creeks by way of boundary line will be found of great utility to the well draining the whole:

[Section II.] (Section IV, P. L.) Be it enacted by the authority aforesaid, That the managers of Greenwich Island banks with the managers of Wiccaco and Moyamensing banks or a majority of them as aforesaid, as soon as the damming and draining of

the water will permit, shall employ a surveyor and proceed and run the division line in the said Hay and Hollander's creeks, between the owners holding land thereon, and place and establish marks for fully settling the same; and that the said managers shall judge, determine and direct the breadth and depth of the drain to be made therein, and shall hire men and get such drain completed with all convenient speed, which power shall be extended to the managers for the time being for cleaning and keeping the said drain in good order forever.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the managers aforesaid shall choose three men disinterested in the premises who shall view the lands on both sides of Hay and Hollander's creeks which lie outside of the meadow banks, and may be drained by virtue of this act; they shall consider and judge the extraordinary advantages gained by draining of the lands which before lay useless for want thereof, they shall tax and assess such lands, and the owners thereof in a moderate and reasonable sum of money, to be paid moreover and besides the tax which may be laid on and paid for the already improved meadows, in general likewise to consider the damages that shall be done to the owners of land from whence the mud shall be taken to make the two dams, and order reasonable retaliation to be made out of the same stock, and in the same manner as the expenses of the said two dams are paid.

(Section VI, P. L.) And whereas a number of the owners of land on Greenwich Island in the year one thousand seven hundred and sixty-seven, obtained a law for making a road and bridge over Hollander's creek aforesaid, and for keeping the same in repair forever, with a power of levying a tax and raising a fund for the payment of the expenses thereof. And as the bridge will be considerably amended by the work in completing the above said dam, therefore it shall be lawful for the three disinterested persons, who shall be chosen and appointed by the said managers, to view the work when done to the amendment of the said bridge, and tax and assess the bridge and road company in a moderate and reasonable sum of money to be paid to the managers appointed to erect or make the said dam

out of their fund raised by virtue of the law aforesaid; And if the said bridge and road company shall refuse or neglect to pay or reimburse the managers appointed to make the said dam as aforesaid:

[Section IV.] (Section VII, P. L.) Be it enacted by the authority aforesaid, That then and thereafter it shall and may be lawful to and for the said manager or managers so demanding in his or their own names, to sue for the respective sum or sums assessed, as by this act directed, by action of debt of five pounds or under, before any one justice of the peace of the county of Philadelphia and if above five pounds in any of the courts of common pleas of this state, and give this act and the said assessment or the said account, as the case may require, in evidence; And the said justice of the peace and the said court are hereby empowered and directed to give judgment and execution for the same, with costs of suit accordingly.

[Section V.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the costs and charges concerning the dams, sluices and line drain arising on the Greenwich Island side of said creeks, shall be settled and payment directed by the managers of the said island, or a majority of them and shall be recovered of the owner or owners neglecting or refusing to pay in such lawful manner as is set forth in their law before mentioned; and that the costs and charges concerning the dams, sluices and line drain arising on the Wiccacoa and Moyamensing side of said creeks shall be settled and payment directed for the Wiccacoa part by the managers of the Wiccacoa banks, or a majority of them, and for the Moyamensing part thereof by the managers of the Moyamensing banks, or a majority of them, and shall be recovered of the owner or owners neglecting or refusing to pay as the managers directed in such lawful manner as is set forth in their respective laws before mentioned.

(Section IX, P. L.) And whereas doubts have arisen whether the expense of cutting, digging, throwing out and maintaining the said line drain ought to be a joint expense to whole of the said districts of Greenwich, Wiccacoa and Moyamensing or a partial expense to the owners within the same:

[Section VI.] (Section X, P. L.) Be it enacted by the authority aforesaid, That the three persons as aforesaid to be appointed by the said managers shall have full power and authority after the said line drain is completed, to view the same and the lands aforesaid, and after such viewing, shall severally make oath or affirmation before one of the justices of the courts of common pleas of the city and county of Philadelphia, who is hereby authorized and required to administer the same, what lands they are of opinion will receive benefit from the said line drain, which same justice shall return a certificate in writing of the said oath or affirmation within three days after taking the same (for which and for his other service aforesaid he shall receive the usual fees of office) to the managers aforesaid, who shall then assess, levy and raise the tax aforesaid, on the [estate or] estates of such owner or owners of the said lands as shall be in the opinion of the three persons aforesaid benefited by the said line drain.

Passed March 22, 1784. Recorded L. B. No. 2, p. 282, etc.

CHAPTER MLXXXVI.

AN ACT TO REMEDY THE INCONVENIENCES OF HOLDING THE ANNUAL ELECTIONS IN THE SECOND DISTRICT OF BEDFORD COUNTY, AND THE THIRD AND FOURTH DISTRICTS IN THE COUNTY OF WEST-MORELAND, AT THE PLACES HERETOFORE APPOINTED BY THE LAWS OF THIS COMMONWEALTH.

(Section I, P. L.) Whereas it has been found very inconvenient for the freemen of the second district of Bedford county to attend the annual election at the house of John Burd, in Dublin township, as by an act, entitled "A supplement to an act, entitled 'An act for amending the several acts for electing members of assembly,'" ¹ passed the fourteenth day of June, one thousand seven hundred and seventy-seven, is directed:

¹ Passed June 14, 1777, Chapter 757.