

tion and it is therefore reasonable that the suspension aforesaid should be further continued:

[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 act entitled "An act to suspend the sale of lands for non-payment of taxes and for other purposes therein mentioned," be and the same is hereby declared to be continued and to remain in full force and effect until the first day of April which shall be in the year of our Lord one thousand seven hundred and ninety.

Passed September 26, 1789. Recorded L. B. No. 3, p. 551 See the act of Assembly passed April 6, 1790, Chapter 1519.

---

## CHAPTER MCDXLIII.

---

### AN ACT FOR DIVIDING THE COUNTY OF CHESTER, AND TO ERECT PART THEREOF INTO A SEPARATE COUNTY.

(Section I, P. L.) Whereas the inhabitants of the borough of Chester and the south-eastern parts of the county of Chester have by their petitions set forth to the general assembly of this state that they labor under many and great inconveniences from the seat of justice being removed to a great distance from them and have prayed that they may be relieved from the said inconveniences, by erecting the said borough and south-eastern parts of the said county into a separate county:

And as it appears but just and reasonable that they should be relieved in the premises.

[Section I.] (Section II, P. L.) 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 all that part of Chester county lying within the bounds and limits hereinafter described shall be and the same is hereby erected into a separate county, that

is to say, Beginning in the middle of Brandywine river where the same crosses the circular line of New Castle county, thence up the middle of the said river to the line dividing the lands of Elizabeth Chads and Caleb Brinton, at or near the ford commonly called or known by the name of Chads' ford and from thence on a line as nearly straight as may be so as not to split or divide plantations, to the great road leading from Goshen to Chester where the Westtown line intersects or crosses the said road, and from thence along the lines of Edgemont, Newtown and Radnor so as to include those townships to the line of Montgomery county and along the same and Philadelphia county line to the river Delaware and down the same to the circular line aforesaid and along the same to the place of beginning, to be henceforth known and called by the name of "Delaware County."

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That all that part of the township of Birmingham which by the line of division aforesaid shall fall within the county of Chester shall be one township and retain the name of Birmingham and all that part of the said township which by the division line aforesaid shall fall within the county of Delaware shall be one township and shall retain the name of Birmingham and that all such part of the township of Thornbury which by the division line aforesaid shall fall within the county of Chester shall be one township and shall retain the name of Thornbury and that all such part of the same township which by the line of division aforesaid shall fall within the county of Delaware shall be one township and shall retain the name of Thornbury, until the same shall be altered by the courts of general quarter sessions of the peace for the said counties respectively.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Delaware shall at all times hereafter enjoy all and singular the jurisdictions, powers, rights, liberties and privileges whatsoever which the inhabitants of any other county of this state do, may or ought to enjoy by the constitution and laws of this state.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the elections for the said county of Delaware shall be held at the old court-house in the county of Delaware to elect or choose a councillor for the same borough of Chester where the freemen of the said county shall elect at the times and under the regulations directed by the officers elected in and for any other county may, can or ought to have, and the said elections shall be conducted in the same manner and form, and agreeably to the same rules and regulations as now are or hereafter may be in force in the other counties of this state. Provided always, That nothing herein contained shall authorize or empower the electors of the constitution and laws of this state a councillor, representatives to serve them in general assembly, censors, sheriffs, coroners and commissioners, which said officers, when duly elected and qualified, shall have and enjoy all and singular such powers, authorities and privileges with respect to their county as such county until the term for which the present councillor for Chester county was elected shall by law expire or until his death, resignation or removal from office.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the freemen of the said county of Delaware shall at all future general elections elect two members and the freemen of the county of Chester at all future general elections shall elect four members to represent them respectively in the general assembly of this commonwealth until the same shall be altered agreeably to the constitution and laws of this state.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the justices of the supreme court and of the courts of oyer and terminer and general gaol delivery of this state shall have like powers, jurisdictions and authorities in the said county of Delaware as in the other counties of this state and they hereby are authorized and empowered to deliver the gaols of the said county of Delaware of capital and other offenders in like manner as they are authorized to do in other counties of this state.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the justices of the courts of quarter sessions and common pleas now commissioned within the limits of the county of Delaware and those that may hereafter be commissioned, or any three of them, shall and may hold courts of general quarter sessions of the peace and gaol delivery and county courts of common pleas for the said county of Delaware and shall have all and singular such powers, rights, jurisdictions and authorities to all intents and purposes as other justices of the courts of general quarter sessions and justices of the county courts of common pleas in the other counties of this state may, can or ought to have in their respective counties, which said courts of common pleas shall open, commence and be held for the said county of Delaware at the court-house in the said borough of Chester on the second Tuesday in the months of November, February, May and August in each year, for the dispatch of public business and the said courts of general quarter sessions of the peace shall open, commence and be held at the same place and for the same county on the Mondays next preceding the second Tuesday in each of the said months yearly.

And whereas it is represented to this assembly by the petitioners, that they have contracted and agreed with the present owner of the old courthouse, prison and workhouse in the said borough of Chester for the purchase thereof at a price far beneath what such buildings could be erected for, which they are willing and desirous should be conveyed for the use of the county on re-payment of the sum agreed upon:

[Section VIII.] (Section IX, P. L.) Be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for Henry Hale Graham, Richard Reilly, Josiah Lewis, Edward Jones and Benjamin Brannan, or any three of them, to take conveyances and assurances to them and their heirs of the said old courthouse, and of the prison and workhouse in the said borough of Chester, with the lots of ground thereunto belonging, in trust and for the use of the inhabitants of the said county of Delaware to accommodate the public service of the said county.

And in order to defray the charge of purchasing the said old court-house, prison and workhouse and the lot of ground thereunto belonging:

[Section IX.] (Section X, P. L.) Be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners and township assessors of the said county of Delaware or a majority of them to assess and levy and they are hereby required to assess and levy in the manner directed by the act for raising county rates and levies, so much money as the said trustees or any three of them shall judge necessary to lay out in the purchase and repairing of the said old court-house, prison and workhouse and the lot of ground thereunto belonging:

Provided always, That the sum so to be raised does not exceed the sum of seven hundred and fifty pounds, clear of the charges in assessing, levying and collecting thereof.

[Section X.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That no action or suit, indictment or prosecution already commenced or depending in the county courts of Chester county or in any of them against any person or persons living within the bounds of the county of Delaware shall be stayed or discontinued by this act or by anything in the same contained, but that the same actions, suits, indictments and prosecutions may be prosecuted to final judgment and execution in like manner as if this act had not been made. And it shall be lawful for the justices of Chester county to issue process to the sheriff of the county of Chester for carrying on and obtaining the full and legal effect of such suits, indictments and prosecutions in the same manner as if the parties resided in the same county of Chester or as if this act had not been made.

[Section XI.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That the sheriff, coroner and public officers of the county of Chester other than the justices of the peace, oyer and terminer, gaol delivery and of the court of common pleas, shall continue to exercise the duties of their respective offices within the county of Delaware until similar officers shall be appointed agreeably to law within the said county of

Delaware, and that all arrearages of excise and public taxes shall be paid into the hands of the present collectors to be by them accounted for in manner and form as if this act had never been passed. Provided nevertheless, That the commissioners of Chester county shall ascertain all the just debts due by the said county (before the passing of this act) and deliver a true and certified account thereof to the before mentioned trustees of Delaware county within three months after the passing of this act and if the taxes assessed and laid in Chester county before the passing of this act for county uses shall be more than sufficient to pay all the just debts of the said county when the said taxes shall be collected and paid to the treasurer of Chester county, he, the said treasurer, shall pay unto the said trustees of Delaware county their full proportion or part of such overplus money agreeably to the taxes the said two counties have respectively paid, the same to be ascertained by the commissioners of Chester county, and also that the said county of Delaware shall be liable and accountable for its due and proper proportion of all public taxes due from the said county of Chester before the division thereof in like manner as if this act had not been made.

[Section XII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the sheriffs, coroners, treasurers and collectors of excise hereafter to be appointed or elected in the said county of Delaware, before they or any of them shall enter upon the execution of their respective offices, shall give security for the faithful execution of their respective offices, that is to say the sheriff in the sum of one thousand five hundred pounds, the coroner seven hundred and fifty pounds, the treasurer in the sum of one thousand five hundred pounds, the collector of excise in the sum of two hundred pounds.

[Section III.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That John Sellers, Thomas Tucker and Charles Dilworth or any two of them shall be commissioners to run and mark the county line dividing the said counties of Chester and Delaware, in the manner hereinbefore described, which line and when so run and marked shall be the boundary line between the counties aforesaid and that the said commis-

sioners shall receive for their services at the rate of twenty-five shillings per day each, including the expenses of chain-carriers and markers and no more, to be paid half by the county of Chester and half by the county of Delaware by draughts from the commissioners of the respective counties on the treasurers of the same, which the said commissioners are hereby authorized and directed to grant.

Passed September 26, 1789. Recorded L. B. No. 3, p. 551.

---

#### CHAPTER MCDXLIV.

---

AN ACT TO ENABLE THE OWNERS AND POSSESSORS OF A CERTAIN TRACT OF MEADOW LAND SITUATED IN THE PRECINCT OF RICHMOND IN THE TOWNSHIP OF THE NORTHERN LIBERTIES TO KEEP THE BANK, DAMS, SLUICES AND FLOOD-GATES IN REPAIR.

(Section I, P. L.) Whereas great damages and controversies frequently arise by the neglect of owners of marsh meadows keeping their banks, dams, sluices and flood-gates in repair and the labor and expenses of the generality of a neighborhood may be rendered ineffectual by the default of an individual:

And whereas there is a certain contiguous tract of banked and improved meadow lying on the river Delaware in the precinct of Richmond in the township of the Northern Liberties, Philadelphia county, contained within the bounds following, to wit, Beginning at the fast land of Frederick Pigou (late Abel James) thence southeastward along and including a bank lately made (at the joint expense of the owners of the said tract of meadow) on the south-west side of the said Pigou's meadow, to his front bank on Delaware, thence up the said river the several courses thereof to the north-east end of Thomas Lloyd Moore's (late William Moore, Esquire's) meadow adjoining to his fast land and thence along the said fast land belonging to several owners of said meadow the several courses thereof to the place of beginning. But inasmuch as the banks, dams, sluices and flood-gates, and the side bank made cannot