

CHAPTER MDLXIX.

AN ACT TO PROVIDE FOR THE OPENING AND IMPROVING SUNDRY NAVIGABLE WATERS AND ROADS WITHIN THIS COMMONWEALTH.

[Section I.] (Section I. P. L.) 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 for the time being be empowered, and he is hereby empowered to contract with individuals, or with companies, for the purpose of undertaking and carrying into immediate effect the improvement of the navigation of the several rivers and creeks hereinafter described, that is to say; for improving the navigation of the river Delaware from the Falls of Trenton up to the northern boundry of this state; for improving the navigation of the Lacawaxen and the Lehigh, from their junction with the river Delaware up their several streams, so far as the several sums hereinafter allotted for that purpose will severally admit; for improving the navigation of the river Schuylkill, from the lower falls to Reading; for improving the navigation of the river Susquehanna, from Wright's Ferry up to Starucca at the Great Bend at the New York line; for improving the navigation of the west branch of the Susquehanna, from its mouth to the mouth of the Sinnamahoning, thence up the Sinnamahoning to its north branch, and thence up the north branch thereof to the place known by the name of Driftwood; for improving the navigation of the Allegheny river, from the mouth of the Conewango creek, up the said river, unto the place where the road from Driftwood, hereinafter described, shall strike the said river; for improving the navigation of French creek on the river Allegheny, from the mouth of the said creek up to the road, hereinafter described as leading therefrom to Presque Isle, on lake Erie; for improving the navigation of the river Juniata, from the mouth thereof to Water street and from

thence to Frankstown; for improving the navigation of Little Conemaugh, from the mouth thereof, upwards; for improving the navigation of the Conemaugh, from Stony Point to Richard's run, from thence through Chestnut Ridge, and from Chestnut Ridge to Loyal Hanning; for improving the navigation of the Kiskiminetas to the second Falls, inclusive, and from thence to the river Allegheny.

[Section II.] (Section II. P. L.) Be it further enacted by the authority aforesaid, That the governor for the time being is hereby empowered to contract with individuals, or with companies for the purpose of undertaking and carrying into effect the laying out, opening and improving such and so many parts of the hereinafter described roads, as shall from time to time by him be thought expedient, as connecting with, and necessary to correspond with the stage of improvement of the navigation of the several waters hereinbefore described, viz.; for opening and improving a road from Stockport on the river Delaware to Harmony, on the river Susquehanna; for opening and improving a road from the place called Driftwood, on the river Sinnamahoning, to the river Allegheny, observing a northerly course; for opening and improving a road from French creek to Presque Isle, on Lake Erie; for opening and improving a road from Frankstown to Popular run, and improving a road from Popular run to Conemaugh; and for opening and improving a road from the forks of Little Conemaugh to the mouth of Stonycreek.

[Section III.] (Section III. P. L.) Be it enacted by the authority aforesaid, That the following sums be appropriated for the purposes mentioned in the first section of this act, viz.; for the river Delaware, the sum of three thousand five hundred pounds; for the river Lacawaxen, two hundred and fifty pounds; for the river Lehigh, one thousand pounds; for the river Schuylkill, two thousand five hundred pounds; for the river Susquehanna, from Wright's ferry to the mouth of Swatara creek, inclusive, five thousand two hundred and fifty pounds, from the mouth of Swatara to the mouth of Juniata three hundred pounds; for the said river Susquehanna, from the mouth of Juniata to the mouth of the west branch, three hun-

dred pounds and from the mouth of the west branch to Starucca, at the Great Bend, four hundred and forty pounds; for the west branch of the Susquehanna, from the mouth thereof to the Sinnamahoning, one hundred and sixty pounds; for the Sinnamahoning to its north branch, two hundred pounds; for the north branch of Sinnamahoning, as far as the place called Driftwood, three hundred pounds; for the river Allegheny, from the place where the road from Driftwood will strike the same, down to the mouth of the Conewango creek, one hundred and fifty pounds; for French creek, from its mouth to the portage, leading to Presque Isle, on Lake Erie, four hundred pounds; for the river Juniata, from the mouth to Water street, eight hundred and twenty pounds; from Water street to Frankstown, fifteen hundred pounds; for the little Conemaugh, four thousand pounds; for the Conemaugh from Stony Point to Richard's run, four hundred pounds; from Richard's run through Chestnut Ridge, two thousand pounds; from Chestnut Ridge to Loyal Hanning, four hundred pounds; for the river Kiskiminetas to the second falls, inclusive, two hundred and fifty pounds, from the said falls to the river Allegheny, one hundred pounds.

[Section IV.] (Section IV. P. L.) And be it enacted by the authority aforesaid, That the following sums be appropriated for the purposes mentioned in the second section of this act, viz.: for the road from Stockport on the river Delaware, to Harmony on the river Susquehanna, the sum of four hundred pounds; for the road from Driftwood, on the Sinnamahoning to the river Allegheny, four hundred and sixty pounds; for the road from French creek to Presque Isle, on Lake Erie, four hundred pounds; for the road through the Canoe Narrows, and from Daniel Titus' to Poplar Run, three hundred pounds; for the road from Poplar Run to Conemaugh, three hundred and sixty pounds; and for the road from the forks of Little forks of Little Conemaugh to the mouth of Stonycreek, one hundred and eighty pounds.

[Section V.] (Section V. P. L.) Be it enacted by the authority aforesaid, That the governor for the time being is hereby empowered, from time to time, to draw warrants on the state

treasurer for so much of the stock of the United States, the property of this state, as shall be necessary to provide for defraying the expenses of opening and improving the several navigable waters and roads hereinbefore recited, confining the several sums hereinbefore specified to their respective appropriations; and the governor for the time being is hereby empowered to sell or cause to be sold from time to time, so much of the said stock, so by him received by virtue of the warrants aforesaid, as shall be requisite to carry into execution the several improvements directed in this act. Provided always, That the six per cent. stock shall not be sold under its nominal value, nor shall the three per cent. stock be sold under the price of two hundred pounds in said three per cent. stock for one hundred pounds in gold or silver.

[Section VI.] (Section VI. P. L.) And be it enacted by the authority aforesaid, That the governor for the time being is hereby empowered to draw warrants on the state treasurer, to be paid out of the first moneys arising from the funds appropriated by an act, passed during the present session of the general assembly, entitled "An act authorizing the governor to negotiate a loan for the use of this commonwealth and appropriating certain funds and revenues for the support of government, and the payment of the public debts," (1) to discharge all warrants to be drawn after the passing of the said act for claims and improvements, for the purpose of improving and opening the following roads, to each of which the several sums thereto affixed are hereby declared to be especially appropriated, viz; for a road from the town of Wilkes-Barre to the Windgap, five hundred pounds; for a road leading from Harrisburg through the Narrows at the end of of the Kittatiny mountain and Peter's mountain, and from thence, the nearest and best course to the place where it will intersect the road leading from Harrisburg to Sunbury, at or near Halifax, six hundred pounds; for a road to be laid out from Frankstown to Pittsburg, over the best ground, and in the straightest practicable line, three hundred pounds; for a road from Bedford to Pitts-

¹Chapter 1554.

burg, five hundred pounds; for a road from Reading to Sunbury, three hundred pounds; for a road from Bedford crossing Youghiogeny, at or near the Great Falls, to the west side of Laurel Hill, four hundred pounds; for a road from the mouth of Juniata, to David Miller's on the Juniata through Dick's Gap, three hundred pounds; for a road through the long narrows, one hundred and eighty pounds, and Jack's and Igow's narrows on the Juniata, one hundred and twenty pounds; for a road from near Catawissa on the north branch of Susquehanna to Hamburg, on the river Schuylkill, three hundred pounds; for a road from Yorktown to Cooper's Ferry, one hundred pounds, to be applied between Muddy creek and the said ferry; for a road from Fulton's Ferry on the Susquehanna, towards Newport, three hundred pounds; for a road from Callender's mill, over Croghan's Gap, in the Blue mountain, to West mill, two hundred pounds; for a road through the upper part of Berks county down to Schuylkill, three hundred pounds; for a road from Keplinger's mill, on Little Schuylkill, up the same, the best and nearest route, to the Susquehanna, three hundred pounds; for a road through Nichols's Gap over the South Mountain, two hundred and fifty pounds; for the road from Middle creek to Grubb's furnace, two hundred pounds; for a road through Black's Gap, over the South mountain, one hundred pounds; for the road from Buchanan's on the east side of the North mountain and through the Great Cove to the foot to Sidling Hill, two hundred pounds; for a road from Fort Penn on the east side of the northwest branch of Brodhead's creek to Wallenpaupetk, near the Great Falls, and from thence by or near the Indian Orchard, between the river Delaware and Shohokin creek to the river Susquehanna, the sum of four hundred pound.

[Section VII.] (Section VII. P. L.) Be it enacted by the authority aforesaid, That the governor for the time being is hereby empowered to contract with individuals or with companies for opening and improving the several roads recited in the foregoing section, in such manner as to him shall appear most likely to accomplish the good purposes by this act intended.

[Section VIII.] (Section VIII. P. L.) Be it enacted by the authority aforesaid, That the governor for the time being shall cause fair copies of all contracts by him made in virtue of this act, to be entered in a book or books, to be by him directed to be kept for that purpose, and shall be signed by the parties entering into such contracts, and no contracts shall be entered into as aforesaid, without taking one or more sufficient bondsmen for the just and perfect fulfillment of the contract, on the part of the person or persons so entering into the same; and the said book and books shall be presented for the inspection of the legislature from time to time, when so required.

(Section IX. P. L.) And whereas it may be necessary for the governor to employ an agent or agents, in order to acquire information respecting the several navigable waters and roads hereinbefore recited, before it may be proper to conclude any contract or contracts, as well as from time to time acquire information of the true and faithful performance of the several contracts.

[Section IX.] Be it enacted by the authority aforesaid, That the governor for the time being is hereby empowered to employ a person or persons as agent or agents of information, who shall be paid out of the respective funds appropriated in the second and sixth sections of this act, accordingly as the services of such agents shall be especially directed and employed, of which the governor shall have discretionary power to determine; and he shall draw warrants for the same in the same manner as is hereinbefore severally set forth. Provided, That the total amount of the several sums to be allowed to such agents shall not exceed the sum of five hundred pounds in any one year.

[Section X.] (Section X. P. L.) And be it enacted by the authority aforesaid, That the governor shall cause a fair and clear account to be kept of each distinct and separate appropriation, distinguishing the expenses of each of the several waters and roads hereinbefore recited, to be entered in a book or books to be provided for that purpose, to be presented to the legislature, from time to time for their inspection when thereto required.

[Section XI.] (Section XI. P. L.) Be it further enacted by the authority aforesaid, That the annual sum of five thousand pounds arising from the interest accruing to the state on the three per cent. stock of the United States, the property of this state, shall be appropriated to the improvement of roads, as soon as the engagements of the state, now charged on said fund, shall have been fulfilled.

Passed April 13, 1791. Recorded L. B. No. 4, p. 188, etc. See the Acts of Assembly passed April 10, 1792, Chapter 1645; April 10, 1793, Chapter 1630; April 11, 1793, Chapter 1694; April 4, 1796, Chapter 1900.

CHAPTER MDLXX.

AN ACT TO ERECT THE TOWN OF HARRISBURG, IN THE COUNTY OF • DAUPHIN, INTO A BOROUGH.

Whereas the inhabitants of the town of Harrisburg, in the county of Dauphin, have by their petition prayed to be incorporated, and that the said town and its vicinity, as hereafter described, should be erected into a borough; And whereas it may contribute to the advantage of the inhabitants of the said town, as also to those who trade and resort there, and be of public utility, that nuisances, encroachments of all sorts, contentions, annoyances and inconveniences, in the said town and in its vicinity, should be prevented, and for the promoting of rule order, and the good government of said town.

[Section I.] (Section I. P. L.) 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 said town of Harrisburg, shall be, and the same is hereby, erected into a borough, which shall be called the borough of Harrisburg, forever, the extent of which said borough is and shall be comprised within the following boundries, to-wit: Beginning at low water mark