

so much per ton, as will reduce the said clear profits and income to a dividend not exceeding twenty-five per centum per annum.

[Section XVII.] (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That whenever the profits of the said society shall amount to a clear annual dividend of fifteen per centum on the whole amount of their capital, there shall then be reserved one per centum out of the same, which shall be applied, at the discretion of the legislature, for the establishment of schools, and the encouragement of the arts and sciences, in one or more seminaries of learning, according to the provisions of the constitution.

[Section XVIII.] (Section XVIII, P. L.) And be it further enacted by the authority aforesaid, That if the said company shall not proceed to carry on the said work within the space of two years from the passing of this act, or shall not, within the space of ten years from the passing of this act complete the same canal and navigation, so as to open an easy and safe water communication from the mouth of Swatara to the mouth of Tulpehocken, navigable for boats of at least seven tons burden, then, and in either of those cases, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties and privileges hereby granted to the said company.

Passed Sept. 29, 1791. Recorded L. B. No. 4, p. 234, etc. See the Act of Assembly passed February 12, 1795, Chapter 1792.

CHAPTER MDLXXXIX.

AN ACT TO PROVIDE FOR COMPLETING THE REPAIRS OF THE WHARF NEAR THE STATE HOSPITAL, AND FOR PAVING THE FOOTWAYS ROUND THE STATE-HOUSE SQUARE, AND FOR OTHER PURPOSES.

Whereas the sum appropriated by an act, entitled "An act to supply the deficiencies in certain appropriations hereafter made, and for other purposes therein mentioned,"¹ enacted the

¹ Chapter 1563.

thirteenth day of April, one thousand seven hundred and ninety-one, is found insufficient to complete the repairs of the wharf near the state hospital, it becomes necessary that a further sum be granted for the purpose aforesaid, and for raising the causeway leading from the same.

[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 be, and he is hereby, authorized to draw a warrant on the state treasurer for the sum of fifty pounds, to be applied to the purposes aforesaid.

[Section II.] (Section II, P. L.) Be it further enacted by the authority aforesaid, That the governor be, and he is hereby, authorized to contract with a suitable person or persons to procure materials, and to pave the footway round the state-house square, at such time or times as the commissioners of the city of Philadelphia shall be paving the cartways of the several streets which surround the state-house, and to draw warrants from time to time on the state treasurer for such sum and sums as may be necessary to complete said pavement.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the state treasurer be, and he is hereby, authorized and directed to pay the warrants drawn by the governor, by virtue of this act, out of the moneys appropriated for the expenses of government.

(Section IV, P. L.) And whereas it would contribute to the embellishment of the public walks in the state-house garden, and may conduce to the health of the citizens, by admitting a freer circulation of air, if the east and west walls of the said garden were lowered and palisadoes placed thereon.

(Section IV.) Be it enacted by the authority aforesaid, That the mayor, aldermen and citizens of Philadelphia shall, at the expense of the said citizens, have power to take down the wall on the east and west side of the state-house yard, within three feet of the pavement, and erect thereon good and substantial palisadoes of iron, fixed on a stone capping, to be placed by them on such wall so prepared as aforesaid.