

valid, and effectual in law; and the title conveyed by the said Alexander Boatcar and Lucy his wife to the said Lewis Bollman, by their deed of indenture, bearing date the twelfth day of August, one thousand eight hundred and three, recorded in the office aforesaid, in deed book E. F. No. 15, page 178, &c. shall be and remain as firm, valid, and effectual in law, to all intents and purposes whatsoever, as if the said Alexander Boatcar had previous thereto taken and subscribed a declaration of his intention to become a citizen of the United States; anything in the aforesaid act, entitled "An act to enable aliens, in certain cases, to purchase and hold real estate within this commonwealth,"⁽¹⁾ or in any other act to the contrary thereof in anywise notwithstanding.

Approved January 30, 1804. Recorded in L. B. No. 9. p. 283.
Note (1). Chapter 2088; 16 Statutes at Large, p. 337.

CHAPTER MMCDXV.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT TO ENABLE THE OWNERS OF GREENWICH ISLAND TO EMBANK AND DRAIN THE SAME, TO KEEP THE OUTSIDE BANKS AND DAMS IN GOOD REPAIR FOREVER, AND TO RAISE A FUND TO DEFRAY SUNDRY CONTINGENT YEARLY EXPENSES ACCRUING THEREON." (1).

Whereas the act, to which this is a supplement, passed the twelfth day of April, anno domini one thousand seven hundred and sixty,⁽¹⁾ hath been found inadequate to the objects proposed by it, and the owners of the said island, having represented the same to the legislature, and requested that more adequate means might be provided for enabling them to keep the said tract of land in good repair at all times, by a just and equal assessment of the property of each owner for the benefit of the whole, and such request appearing reasonable and proper: Therefore,

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 from and after the passing of this act, it shall be the duty of the managers, or a ma-

jority of them, elected, or to be elected, by virtue of this act, or the act⁽³⁾ to which this is a supplement, when and so often as they shall judge necessary, to estimate or cause to be estimated, the expenses requisite for making, repairing, and keeping in good repair, all and every the banks, dams, sluices, flood-gates, footing-drains, and footings, or spaces, so called, between the footing-drains and banks, in all and every part of the said tract of land, or meadow, without regard to any allotments, divisions, or districts, at any time heretofore made, in pursuance of the aforesaid act; and to ascertain the names of all and every the owners, or possessors of each and every acre of land on the said island, and having so estimated the whole expense deemed necessary for any one year, and ascertained the names of the owners, and possessors thereof, or their legal representatives, to proceed to rate, and assess each, and every owner, or possessor fairly, and equally, his, or her proportionable part, per acre, of said sum, according to the quantity and quality of land, so by him, or her owned, or possessed; and if the said sum, so estimated, shall not prove sufficient for the purposes aforesaid, in any one year, then, so often as it shall be deemed necessary, to proceed in like manner, to estimate what additional sum shall be thought sufficient in said year, and the same to rate and assess proportionably, and fairly as aforesaid, to every owner, or possessor, his, or her legal representatives.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said managers, or any three of them shall regulate the assessments, and cause fair lists thereof to be made, and shall issue their warrants, with the lists aforesaid, directed to the treasurer, authorizing and requiring him to demand, and receive, of and from every person in such list, his, or her legal representative, the sum wherewith such person is charged; and if any person shall neglect or refuse to make payment, within thirty days from the time of such demand, it shall be the duty of the said treasurer, to levy, or cause to be levied, the said tax, and the costs attending such levy, by distress and sale of the goods, and chattels, lands, and tenements, of the said delinquent, in

such manner as is prescribed by the act, entitled "An act to raise and collect county rates and levies," passed the eleventh day of April, anno domini one thousand seven hundred and ninety-nine,⁽²⁾ such sum if paid or recovered from a renter, to be deducted from his rent.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the managers for the time being, or any three of them, shall have the power of disposing of all monies paid to the treasurer by virtue of this act, and of appointing such person, or persons from time to time, as they shall think necessary, to enter upon all, and every part of the said island, for the purpose of inspecting, making and repairing, all, and every the dams, banks, sluices, flood-gates, footings, and every other thing requisite to the complete draining, and embanking all, and every part of the said island, without regard to any allotments, divisions, or districts, heretofore made, and without notice to any owner or possessor, to make or repair their respective parts; it being the express intent and meaning of this act, that all the banks, dams, flood-gates, sluices, footing-drains, and footings, or spaces so called, between the footing-drains and banks, and other devices, for the complete draining, and embanking of said tract of land, or island (the division, and internal ditches excepted) shall be made, and repaired by, and under the superintendence of the managers, or a majority of them, to be chosen as aforesaid.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That all monies now due, and owing, according to the provisions of the aforesaid act, shall be recovered in the manner hereinbefore prescribed, for the recovery of sums hereafter to be assessed, unless the same shall be paid to the treasurer within thirty days after the passing of this act.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That it shall, and may be lawful for the managers, or a majority of them, their agents and servants, from time to time, and at all times, to have free ingress, egress, and regress into, upon, through, and out of

the said tract of land, or meadow, with, or without horses, carts, and wagons, and to dig and remove, on and from the part of any owner thereof, any earth, or materials, for the making or repairing the said banks, dams, or other parts of the said meadow, and also for the purpose of draining the water from any low parts of the said meadow, through any adjacent ground, by means of ditches through the same; the expense of which ditch, or ditches, through such low ground, shall be paid by the individual owning it, or out of the general fund, as the benefit may be thought general, or particular, at the discretion of the managers; unless such low ground should belong to any, or either of the said managers; in which case the right of estimating and determining, as well the amount, as the fund out of which the same is to be paid, shall be determined by the manager or managers, who is, or are not interested; and in all cases of carrying drains for such last mentioned purpose, through the adjacent ground of an individual, or of digging and removing earth, on and from the part of any individual, the said managers shall allow and pay to the person injured, the amount of the damage, if any, by him sustained, which amount, in case of disagreement between such owner and manager, shall be ascertained in the manner prescribed for settling disputes in the act,⁽¹⁾ to which this is a supplement.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if the owners or possessors of said tract of land, shall neglect to attend at the time, and to proceed in the manner prescribed by this act, for holding the elections for managers and treasurer, in any year, that the managers and treasurer of the preceding year, or the survivors of them, or a majority of such survivors, shall, and may lawfully use and exercise all the powers, which might have been used by managers annually elected, until such election shall be held.

Section VII. (Section VII, P. L.) And whereas, the time for holding the elections prescribed by the said act is inconvenient, be it therefore enacted by the authority aforesaid, That the next election for managers and a treasurer, shall be

held at the usual place, on the first Monday in March next, between the hours of three and five o'clock in the afternoon, and at the same time and place, on the first Monday in March in every year thereafter; unless the managers, or a majority of them shall appoint a different time and place, of which at least three days public notice shall be given, in two of the public newspapers printed in Philadelphia; the officers to be chosen on the first Monday in March next, to serve from the expiration of the time of the present officers, until the first Monday in March, which will be in the year one thousand eight hundred and five.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That every owner or possessor of meadow ground on said island, shall, at his own proper cost and expense, keep the banks opposite to his, or her ground, at all times clear of brambles or other nuisances, so considered by the managers; and in default thereof, the said managers, or a majority of them, shall cause such parts so neglected, to be cleared, and after paying the expenses thereof, out of the general fund, may, and shall recover the same from such owner or possessor, in like manner as debts of the same amount are recoverable by the laws of this state, with costs of suit; and in case of such recovery being against any renter, of such part of said meadow, such renter may deduct the same out of his rent.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That so much of the act entitled "An act to enable the owners of Greenwich island, to embank and drain the same, to keep the outside banks and dams in good repair forever, and to raise a fund to defray sundry contingent and yearly expenses accruing thereon,"⁽¹⁾ as authorizes any division of the said island into districts for the purposes therein mentioned, or as requires the payment or deposit of any certain annual sum, per acre, by the owners in each district, be, and is hereby repealed; and all allotments, districts and divisions, heretofore made in pursuance of said act, are also hereby declared to be null and void, together with

all such parts of the said act, and no other, as are hereby altered and amended.

Approved January 30, 1804. Recorded in L. B. No. 9, p. 285.

Note (*). Chapter 455; 6 Statutes at Large, p. 33.

Note (*). Chapter 2095; 16 Statutes at Large, p. 375.

CHAPTER MMCDXVI.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT TO PROVIDE FOR THE ERECTION OF HOUSES FOR THE EMPLOYMENT AND SUPPORT OF THE POOR IN THE COUNTIES OF CHESTER AND LANCASTER." (*).

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 from and after the passing of this act, the directors of the poor and of the house of employment for the counties of Chester and Lancaster respectively, or a majority of them, shall have like power and authority to bind out apprentices such poor children as may, from time to time, come under their care, as overseers of the poor, together with the consent of two or more justices of the peace, have, under the act entitled, "An act for the relief of the poor," passed the ninth day of April,⁽²⁾ one thousand seven hundred and seventy-one.⁽³⁾

Approved January 30, 1804. Recorded in L. B. No. 9, p. 15.

Note (*). Chapter 1971; 16 Statutes at Large, p. 15.

Note (*). April should be March. See next note.

Note (*). Chapter 635. Passed March 9, 1771; 8 Statutes at Large, p. 75.

CHAPTER MMCDXVII.

AN ACT DISSOLVING THE MARRIAGE CONTRACT BETWEEN CORNELIUS BURK AND ELIZABETH, HIS WIFE.

Whereas Elizabeth Burk, of Washington county, hath represented to the legislature, that her husband Cornelius Burk, after wasting and spending her property, hath deserted and