

# A C T S

OF THE

## General Assembly of Pennsylvania.

Passed at a Session which commenced January 19th, 1780,  
and ended March 25th, 1780.

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JOSEPH REED, PRESIDENT OF THE EXECUTIVE COUNCIL,  
JOHN BAYARD, SPEAKER OF THE GENERAL ASSEMBLY.

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1780.

### CHAPTER DCCCLXVII.

*An ACT for vesting the State-house in the city of Philadelphia; the house in High-street in the said city, appropriated to the use of the President of the Supreme Executive Council for the time being; the Province-Island, and Great Mud-Island; the military barracks in the Northern-Liberties of the city of Philadelphia, and in the Northern part of the borough of Lancaster; the public store-house and the magazine for securing gun powder in the said borough; the several court-houses, gaols, prisons and work-houses of the several counties of this state; and all other real estate belonging to the public, in the commonwealth.*

[See chap.  
477, ant. c. pa.  
242, post.  
chap. 1154.  
1867.]

**WHEREAS**, on account of the difficulty of securing in a proper manner the real estate of the public in the late province, now state, of Pennsylvania, the same was vested in feoffees or trustees, or in bodies politic and corporate; And whereas the persons enfeoffed of the same may have in some cases all died; and it may be difficult to ascertain the person to whom the estate so vested hath descended, if suits in the law should be necessary for the conservation of the said real estate: For remedy whereof, and to place the same on a uniform, convenient and permanent footing:

Enumera-  
tion of what  
public build-  
ings shall be  
invested in  
the common-  
wealth.

**II.** *Be it enacted, and it is hereby enacted,* That the State-house in the city of Philadelphia, together with the adjoining lot and piece of ground thereunto appertaining, bounded by Chesnut-street on the north, Fifth-street from the river Delaware on the east, Sixth-street from the said river on the west, and Walnut-street on the south, as the same are now vested in Samuel Rhoads and Edward Penington;

and the house and lots situate on High-street, Minor-street, and Sixth-street in the said city, late the estate of Joseph Galloway, Esquire, appropriated and appointed for the use of the President of the Supreme Executive Council, by an act, entitled *An Act for vesting the house and lots therein described in Trustees, for the use of the President of the Supreme Executive Council of this state for the time being*,\* <sup>Chap. 815.</sup> passed on the eighteenth day of March last; and the island called the Province-Island, situate on the south side of the mouth of the river Schuylkill, adjoining the river Delaware, within the township of Kingsessing, and county of Philadelphia, and heretofore known by the name of Fisher's-Island, containing about three hundred and forty-two acres, as the same was held in trust by Joseph Harvey, Thomas Tatnel, Joseph Trotter, James Morris and Oswald Peel, and afterwards conveyed by the said Joseph Trotter, the survivor of the said Trustees, to Joseph Fox, Samuel Rhoads, Joseph Galloway, John Baynton, Edward Penington, Charles Humphreys and Michael Hillegas;† and the island in the river Delaware, named Great Mud-Island or Deep Water-Island, situate southward of the Province-Island, as the same was held by Joseph Galloway, and by him sold for a fortress to the public, who paid him the full consideration thereof, but had no transfer of the said Island made by said Joseph Galloway; yet by his attainder it is become the estate of the public; the military barracks, situate between Second and Third-streets continued in the Northern-Liberties of the city of Philadelphia, together with the lots and pieces of land thereunto belonging and appertaining, as the same were purchased of Anthony Wilkinson and John Jennings and wife, for the purpose of erecting the said barracks at the cost of the late province, now state, of Pennsylvania, and as the same are now vested in the heirs of Joseph Fox, deceased;‡ and the military barracks in the north part of the borough of Lancaster, in the county of Lancaster, together with the lot of land thereunto appertaining, as the same are now held by James Webb, in trust for the public; the public store-house situate on the western side and near the north end of Queen-street in the said borough, and the magazine for securing gun powder in the said borough, lying eastward of the said store-house;§ and the new gaol and work-house of the city and county of Philadelphia, on Walnut-street and Sixth-street, in the city of Philadelphia, as the same is now vested in the Commissioners of the city and county of Philadelphia, and their successors, who held the same as a body politic and corporate, for that purpose;¶ and all and singular the court-houses, gaols, prisons and work-houses, together with the lots of land whereon they severally stand, or which are appurtenant to them, of and in the several counties of this state, as they now are or heretofore have been vested in any feoffees or trustees, or in any bodies politic and corporate for the several use of the said counties respectively; and also all other real estate to the good people of this commonwealth, or of any county thereof, in their public and collective capacity belonging, or to their use or interest vested and conveyed, shall be, and hereby are, vested in the commonwealth, freed and discharged, and absolutely acquitted, exempted and exonerated, of, from and against all claims and demands of the said

1780.

\* Chap. 815.

† Chap. 357,  
1748, sect. 18.‡ Chap. 1084.  
directed to  
be sold.§ Chap. 1492.  
directed to  
be sold.

¶ Chap. 673

1780. feoffees or trustees, or bodies politic and corporate, or of the survivors and survivor of such feoffees and trustees, and every of them, and of the heirs of such survivors and survivor for ever; subject however to the several uses, intents, trusts, dispositions and direction, for which the same have been heretofore respectively appointed and limited, and to none other; saving and always reserving to every person and persons, bodies politic and corporate, his and their heirs, successors, other than the said feoffees and trustees, all such estates, right, title and interest, of, in, to and out of the premises vested in trust as aforesaid, as they, every or any of them, had before the passing of this act, or could or might have had or enjoyed, in case this act had not been made or passed.

Proviso.

III. *Provided always*, That nothing in this act shall extend to vest in the commonwealth the old temporary prison, situate on the eastern side of the main cross street in the town of Bedford; nor to vest in the commonwealth the old gaol and work house, nor the land thereunto appertaining, fronting on the south side of High-street, and extending along Third-street from Delaware in the city of Philadelphia, as the same was holden by Joshua Carpenter, in trust, for the use of the city and county of Philadelphia: *But it is hereby enacted*, That the Supreme Executive Council may and shall sell and convey the said old gaol and work-house in the city of Philadelphia to the private use of the purchaser, by deed or deeds under the great seal, signed by the President or Vice-President of the said council, for the sole benefit and advantage notwithstanding of the said city and county.

Assembly may from time to time appoint Trustees for the Province Island.

IV. *And provided also*, That the Representatives of the freemen of this commonwealth in General Assembly met shall and may from time to time, by their vote, appoint trustees, to take upon them the care and management of the island called the Province-Island, together with its appurtenances, and to receive the rents, issues and profits thereof, and to account for the same, and to make leases, in like manner, and under like restrictions, as the feoffees or trustees of the said island, heretofore vested with the estate thereof might or could do.

Former laws repealed.

\* Chap. 357.

† Chap. 343.

‡ Chap. 673.

V. *And be it further enacted*, That so much of an act of Assembly of the late province of Pennsylvania, entitled, *An act for vesting the Province-Island, and the buildings thereon erected, and to be erected, in Trustees, for providing an Hospital for such sick passengers as shall be imported into this province, and to prevent the spreading of infectious distempers*,\* passed on third day of February, which was in the year of our Lord one thousand seven hundred and forty-three; and so much of another act of Assembly of the said late province, entitled *An act for vesting the State-house and other public buildings, with the lots of ground whereon the same are erected, together with other lots situate in the city of Philadelphia, in Trustees, for the uses therein particularly mentioned*,† passed on the twentieth of February, which was in the year of our Lord one thousand seven hundred and thirty-six; and so much of another act of Assembly of the said late province, entitled *An act for erecting a new gaol, work-house, and house of correction, in the city of Philadelphia*,‡ passed on the twenty-sixth day of February, which was in the year of our Lord one thousand

seven hundred and seventy-three; and so much of another act of 1780, Assembly of the said late province, entitled *An act to enable Jeremiah Langhorne, William Biles, Joseph Kirkbride, junior, Thomas Watson, practitioner in Physic, and Abraham Chapman, to build a new Court-house and prison in the county of Bucks*, passed on the twentieth day of March, Anno Domini one thousand seven hundred and twenty-five; and so much of the several acts of assembly of the said late province, by which the counties of Lancaster, York, Cumberland, Berks, Northampton, Bedford, Northumberland, and Westmoreland, were erected and established; and so much of an act of Assembly of this commonwealth, entitled *An act for vesting the house and lots therein described in Trustees, for the use of the President of the Supreme Executive Council of this state for the time being*, § Chap. 811. passed on the eighteenth day of March last, and of any other act of Assembly, which is hereby altered or supplied by, or is repugnant to, the provisions and directions of this act, is hereby repealed and made void.

Passed 28th February, 1780.—Recorded in Law Book vol. I. page 330.

## CHAPTER DCCCLXIX.

*An ACT for the more effectual supply and honourable reward of the Pennsylvania troops, in the service of the United States of America.*

**WHEREAS** the honourable the Congress of the United States did, on the fifteenth day of May, Anno Domini one thousand seven hundred and seventy-eight, resolve and provide in the words and manner following, viz. That all military officers commissioned by Congress, who now are, or hereafter may be, in the service of the United States, and shall continue therein during the war, and do not now hold any office of profit under the said states, or any of them, shall, after the conclusion of the war, be entitled to receive annually, for the term of seven years, if they shall live so long, one half of the present pay of such officer; provided that no General officer of the cavalry, artillery, or infantry, shall be entitled to receive more than the one half part of the pay of a Colonel of such corps respectively; and provided that this resolution shall not extend to any officer in the service of the United States, unless he shall have taken the oath of allegiance to, and shall actually reside within, some one of the United States: And whereas the military commissioned officers in the federal army of the United States, belonging to this state, have not only distinguished themselves in the field by their courage and bravery, but have exhibited extraordinary proofs of patriotism, disinterestedness, and sacrifice of private considerations to the public good.

**II.** And whereas the continuance of the war, and the signal services and sufferings of the said troops since the passing the above resolve, have made it highly proper to enlarge and extend the benefits thereof: And the Legislature of this state, being desirous to mani-