

[Section V.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, that a sum not exceeding fourteen thousand dollars be appropriated for carrying into effect the objects of this law and providing the necessary arms and ammunition, which sum shall be paid by the state treasurer upon the warrants of the governor, out of the funds hereinafter specified, and an account of the disbursements thereof, or of any part thereof, shall be laid by the governor before the general assembly at the next ensuing session.

[Section VI.] (Section V, P. L.) And be it further enacted by the authority aforesaid, that any and every sum and sums of money, which shall remain in the fund created by militia fines and the arrearages thereof, after defraying the militia expenses on such fund charged and chargeable by law, together with the moneys arising from the loan office established in the year one thousand seven hundred and eighty-five, shall be, and hereby are appropriated for defraying the expenses necessary to carry this act into operation, and such other expenses as may at any sary for the defense of the frontiers, and the deficiency of the fund thus constituted, if any, shall be supplied out of the aggregate fund, or in case of a surplus, the same shall be carried to and become part of the aggregate fund.

Passed April 3, 1793. Recorded L. B. No. 5, p. 77, etc.

CHAPTER MDCLXIX.

AN ACT TO APPOINT AND AUTHORIZE TRUSTEES TO BUILD A COURT-HOUSE AND OFFICES FOR PRESERVING THE RECORDS OF THE COUNTY OF DAUPHIN, ON THE LOT OF LAND LAID OUT FOR THAT PURPOSE, IN THE BOROUGH OF HARRISBURG, AND TO APPROPRIATE THE MONEY NOW IN THE TREASURY OF THE SAID COUNTY, WITH THE EMOLUMENTS OF THE HARRISBURG FERRY, TO DISCHARGE THE EXPENSES THEREOF.

Whereas the emoluments of the Harrisburg ferry have lain for several years unappropriated, and the inhabitants of the county of Dauphin, as well as those of the said borough, by

their petitions, have requested that the same may be applied to the building a courthouse and offices for securing the records of the county until they may be completed: 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 John Kean, Henry Baylor and Valentine Hummel, the present commissioner of the county of Dauphin, and their successors, the commissioners of the said county for the time being, be and they are hereby invested, in trust for public use, with the right and title to the ferry and ferry lot, with all and every of the appurtenances thereunto belonging, heretofore known by the name of Harris' ferry, which the late John Harris, deceased, did in his life time convey to Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and William Brown, in trust for public use, and they, the commissioners of Dauphin county aforesaid, are hereby directed and enjoined to lease out the same, from and after the fifteenth day of April next, in such manner, from time to time, as may be most conducive to the public interest.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, that they, the commissioners of the county of Dauphin for the time being as aforesaid, be and they are hereby empowered, authorized and enjoined to settle and adjust the accounts of Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and the executors of William Brown, trustees as aforesaid, to allow them a reasonable compensation for their time, expense and trouble in the prosecution of the trust and duties enjoined on them by the act, entitled "An act for erecting part of the county of Lancaster into a separate county,"¹ passed the fourth day of March, one thousand seven hundred and eighty-five, so far as they have executed that trust, and also in building the ferry-house, leasing out the said ferry and taking care thereof, since the same came into their possession until the fifteenth day of April next, and to ask, demand and receive from them, the said Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and the executors of William

¹ Chapter 1136.

Brown, trustees as aforesaid, or either of them, all such surplus money as may be in the hands of them, or either of them, arising from the ferry and its appurtenances, with the interest which may have arisen or become due thereon, or on any part thereof, and if the said Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and the executors of William Brown, trustees as aforesaid, should think themselves aggrieved by the judgment of the commissioner of the county of Dauphin, in the compensation by them allowed for the services performed by the said trustees for the use of the said county, then it shall and may be lawful for the commissioners and trustees aforesaid, to submit those matters in difference to referees indifferently chosen by the parties aforesaid, but if the said Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and the executors of William Brown, or either of them, shall neglect or refuse to exhibit, adjust, settle and pay the surplus money which shall remain in their hands after making the compensation as aforesaid, upon receiving from the commissioner of the said county three months' notice in writing of the time and place by them appointed for that purpose, then the said commissioners shall institute a suit or suits against them, the said Jacob Awl, Andrew Stewart, James Cowden, Joshua Elder and the executors of William Brown, or either of them, who may neglect or refuse as aforesaid, and recover from them, or either of them, all such sums of money as may remain in their, or either of their, hands or possession, with costs of suit, to be paid into the treasury of the said county.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That John Kean, Robert Harris and Michael Kopp be and they are hereby appointed, authorized and empowered to procure and provide the materials necessary for building a courthouse, with an office at each end thereof for the records of the prothonotary and register of the county, as soon as conveniently may be after the passing of this act, and they, the said John Kean, Robert Harris and Michael Kopp, are hereby directed and enjoined, as early as the season will

admit, in the spring of the year one thousand seven hundred and ninety-four, to commence the building of a good convenient courthouse of brick, with a cellar under the whole, on the lot of ground in Harrisburg appropriated for that purpose, with proper brick buildings at each end thereof for the offices aforesaid, and that the front of the said courthouse be not less than twenty feet from Market street within the said lot, which space shall be neatly paved with good, hard brick, together with the footway along the said street.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That they, the said John Kean, Robert Harris and Michael Kopp, or a majority of them, shall be and they are hereby authorized to draw warrants on the treasurer of the county, from time to time as they may have occasion, for money to purchase the materials as aforesaid, not exceeding fifteen hundred pounds, before the fifteenth day of April next, and such further sums as they may have occasion for workmen and laborers to complete the same, as it may be paid into the said county treasury from the emoluments of the Harrisburg ferry already accrued and hereafter accruing; provided the whole amount of the materials, work, labor and expense of the said courthouse and offices shall not exceed the sum of three thousand pounds, all of which said warrants signed by the said John Kean, Robert Harris and Michael Kopp, or a majority of them, shall be allowed to the treasurer of the said county in the settlement of his accounts.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That they, the said John Kean, Robert Harris and Michael Kopp, shall and they are hereby enjoined to lay before the commissioners of the said county annually, when thereunto required, a just and true account of their disbursements or expenditures for materials, work and labor for and on account of the buildings aforesaid, until they may be fully completed, and that within the year one thousand seven hundred and ninety-six, they, the said John Kean, Robert Harris and Michael Kopp, are hereby directed and enjoined to have the whole building complete and finished, and make a final settlement of all their said accounts with the commissioners of the

said county for the time being, and the said trustees, having finished the said buildings, shall be allowed six per centum on all the money they may have necessarily expended in execution thereof, in full compensation for their services and attention to the said business.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if either of the commissioners of the county of Dauphin for the time being, shall neglect or refuse to do and perform any of the services enjoined on him or them by this act, such commissioners so offending shall be subject to a fine at the discretion of the supreme court, in any sum not exceeding fifty pounds, and if any or either of the said John Kean, Robert Harris and Michael Kopp, hereby appointed to erect the buildings aforesaid, having accepted the trust and taken upon him the services required, without any reasonable cause or unavoidable impediment shall neglect or refuse to do and perform his part and share of the duty enjoined on him by this act, he shall for every such refusal or neglect be subject to a fine at the discretion of two of the justices of the peace of the said county, in any sum not exceeding five pounds, and if either of the said John Kean, Robert Harris and Michael Kopp should die, remove from the borough, or be otherwise disabled from performing the duties hereby enjoined, or not being disabled should entirely refuse to perform the same, then it shall and may be lawful for the court of general quarter sessions, and they are hereby required, to appoint some other fit person or persons to do and perform the same in the place of such delinquent, who shall be subject to the like penalties for neglect or refusal, and be entitled to the like rewards for services by him performed, as those hereby appointed.

Passed April 5, 1793. Recorded L. B. No. 5, p. (not given).