

same issued and granted in like manner and form and having like force and effect as the like proceedings and patents have been, and are conducted and granted, in cases of private persons applying for and taking up lands under the laws of the commonwealth in such cases made and provided.

[Section III] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That all and every tract and tracts of land hereby directed to be surveyed for the use and trust aforesaid shall be so done at the charge of the state and the president or vice-president in council is hereby authorized and empowered to draw orders on the treasurer of the state to pay and defray all the charges arising thereupon.

Passed February 14, 1789. Recorded L. B. No. 3, p. 447.

CHAPTER MCCCXCI.

AN ACT TO REPEAL SO MUCH OF AN ACT OF GENERAL ASSEMBLY OF THIS COMMONWEALTH AS PROHIBITS DRAMATIC ENTERTAINMENTS WITHIN THE CITY OF PHILADELPHIA AND THE NEIGHBORHOOD THEREOF.

(Section I, P. L.) Whereas a great number of the citizens of Philadelphia and the neighborhood thereof have petitioned this house for a repeal of so much of a certain law of this commonwealth as prohibits theatrical exhibitions and this assembly being desirous of promoting the interests of genius and literature by permitting such theatrical exhibitions as are capable of advancing morality and virtue and polishing the manners and habits of society, and it being contrary to the principles of a free government to deprive any of its citizens of a rational and innocent entertainment, which at the same time that it affords a necessary relaxation from the fatigues of business is calculated to inform the mind and improve the heart:

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of

the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That so much of an act of general assembly of this commonwealth entitled, "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation,"¹ passed on the twenty-fifth day of September, which was in the year of our Lord one thousand seven hundred and eighty-six as restrains or prohibits any person or persons from acting, showing or exhibiting within the city of Philadelphia or within one mile thereof any tragedy, comedy, tragi-comedy, farce, interlude, pantomine or other play or any scene or part of any play whatsoever or from being concerned or employed therein or in selling any ticket or tickets for that purpose or as inflicts any fine, forfeiture or penalty therefor or as directs any recognizance to be entered into on account thereof, be and the same is hereby repealed and made null and void, Provided nevertheless, That neither this act or anything herein contained shall bar or prevent the recovery of any fine, forfeiture, penalty or sum or sums of money which may have been incurred, forfeited or arisen and sued or prosecuted for under the said recited act and before the passing hereof, but that every such indictment, suit, bill, plaint or information may be proceeded into judgment, execution and recovery in like manner as if this act had not been made:

And whereas many respectable citizens are apprehensive that theatrical representations may be abused by indecent, vicious and immoral performances being exhibited on the stage, to the scandal of religion and virtue and the destruction of good order and decency in society and the corruption of morals:

[Section II.] (Section III, P. L.) Be it enacted by the authority aforesaid, That it shall and may be lawful for his excellency the president of the supreme executive council, the chief justice of the supreme court or the president of the court of common pleas for the county of Philadelphia or any or either of them for the time being and they are hereby severally

¹ Chapter 1248.

authorized and empowered at all times, within three years from and after the passing of this act to permit and license such theatrical exhibitions or representations only as shall in the opinion of him who shall grant such license be unexceptional and if any person or persons shall during the time afore said act, show or exhibit any tragedy, comedy, tragi-comedy, farce, interlude, pantomine, or other play or any scene or part thereof without such license or permission being first had and obtained, he and they shall on conviction thereof severally forfeit and pay to this commonwealth any sum not exceeding two hundred pounds and shall also be imprisoned and held to security for his, her or their good behavior during the discretion of the court in which such conviction shall be had.

Passed March 2, 1789. Recorded L. B. No. 3, p. 452.

CHAPTER MCCCXCII.

A SUPPLEMENT TO THE ACT ENTITLED "AN ACT FOR ERECTING PART OF BEDFORD COUNTY INTO A SEPARATE COUNTY."¹

(Section I, P. L.) Whereas in and by an act of general assembly of this commonwealth entitled, "An act for erecting part of Bedford county into a separate county,"² enacted the twentieth day of September in the year of our Lord one thousand seven hundred and eighty-seven, part of the county of Bedford was erected into a new county called Huntingdon, but no provision was made therein for running and ascertaining the boundary lines of the said county of Huntingdon:

And whereas it is reasonable and necessary that the boundary lines of said county should be run and ascertained:

Therefore:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Coun-

¹ Passed September 20, 1787, Chapter 1811.

² Ante.