§ 6. Pennsylvania boundary line. The boundary line between the states of New York and Pennsylvania is as follows:

Commencing at said intersection of said meridian line of cession, and running thence south to the shore of Lake Erie at initial monument set by A. Ellicott in 1790 as above; thence true south 440 feet to a large monument of Quincy granite, set in 1869, in latitude 42Á 16' 5.39", and longitude 79Á 45' 45.26", as deduced by the United States lake survey, marked 1869, latitude 42Á 15' 57.9", longitude 79Á 45' 54.4", by commissioners duly authorized on the part of the states of New York and Pennsylvania as stated in reports of regents boundary commission in 1886; thence south on said meridian line 13.895 miles to Fourteen Mile point; thence south 4.647 miles at an angle of 4' west to a large terminal monument; thence on the same line 100 feet to the southwest corner of New York marked by monument (in latitude 42Á 0' 1.42", as determined by state survey) set in 1787 by A. Hardenburgh and W. W. Morris, commissioners on the part of New York, and A. Ellicott and A. Porter, commissioners on the part of Pennsylvania; thence due east on parallel of latitude of 42Á, as surveyed and marked by monuments by said commission, to the ninetieth mile stone erected in 1786 by James Clinton and Simeon De Witt, commissioners on the part of New York, and Andrew Ellicott, commissioner on the part of Pennsylvania, on the west side of the south branch of the Tioga river in latitude 42Á 0' 1.3" as deduced by the state surveyor in 1879; thence due east on line established and marked by the last mentioned commission to a point in the center of Delaware river, such line passing through a monument set in the year 1884 by H. W. Clarke, surveyor, on the part of the state of New York, and C. M. Gere, surveyor, on the part of the state of Pennsylvania, and located six hundred feet west of the center of said river (all of the above line passing through monuments placed between the years 1881 and 1885 by said H. W. Clarke and C. M. Gere, of which a schedule is given in their report to the commission appointed by virtue of the provisions of chapter three hundred and forty of the laws of eighteen hundred and eighty, and dated December 1, 1885, showing angular deflections at each mile stone, with distances between each, summarized as follows: Southwest state corner to Chautaugua county corner 36.090 miles; to Cattaraugus county corner 38.743 miles; to Allegany county corner 28.769

miles; to Steuben county corner (mile post eighty-two) 40.411 miles; to Tioga county corner, on the left bank of the Chemung river, 21.066 miles; to Broome county corner 23.387 miles; to the center of the Delaware river 38.396 miles; thence down the center of the Delaware river about eighty-five miles to its junction with the Neversink river; each of the states of New York and Pennsylvania having concurrent jurisdiction within and upon the waters of that portion of the main channel of the Delaware river between the lines of low water at either bank thereof; then S. 51Á E. on prolongation of boundary line between New York and New Jersey, to "tri-state monument," set in 1882 by joint commission, over bolt in bare lime-stone rock near the confluence of the Neversink and Delaware rivers as settled in 1769 by commission appointed by king of Great Britain, and marked by a crow foot cut into its upper face, in latitude 41Á 21' 22.63", and longitude 74Á 41' 40.70" west as determined by the United States coast survey in 1874. The said metes and bounds are in accordance with and subject to the agreement between commissioners of the states of New York and Pennsylvania, which took effect August 19, 1890, the date of the approval of the act of Congress consenting thereto. The ratification and confirmation by this state of such agreement is continued in force. The following is a copy of such agreement:

"An agreement made the twenty-sixth day of March, in the year eighteen hundred and eighty-six, between Henry R. Pierson, Elias W. Leavenworth and Chauncey M. Depew, commissioners on the part of the state of New York, and Christopher M. Gere and Robert N. Torry, commissioners on the part of the state of Pennsylvania.

WHEREAS, By the first section of chapter four hundred and twenty-four of the laws of the state of New York, for the year eighteen hundred and seventy-five, the regents of the university of the state of New York were authorized and directed to resume the work of 'examination as to the true location of the monuments which mark the several boundaries of the state,' as authorized by the resolution of the senate of April nineteenth, eighteen hundred and sixty-seven, and in connection with the authorities of Pennsylvania, to replace any monuments which may have become dilapidated or been removed on the boundary line of that state; and,

WHEREAS, The said board of regents of the university did through a committee of said board, previously appointed for the purpose, under said senate resolution of eighteen hundred and sixty-seven, proceed to carry out the instructions contained in said chapter four hundred and twenty-four of the laws of eighteen hundred and seventy-five; and,

WHEREAS, By chapter three hundred and forty of the laws of the said state of New York for the year eighteen hundred and eighty the said regents of the university were further authorized and empowered to designate and appoint three of their number as commissioners to meet such commissioners as may have been or may be appointed on the part of the state of Pennsylvania, and with such last-named commissioners as soon as may be, to proceed to ascertain and agree upon the location of the boundary line between said states, as originally established and marked with monuments, and in case any monuments are found dilapidated or removed from their original location, to replace them in a durable manner in their original position, and to erect such additional monuments at such places on such lines as they may deem necessary for the proper designation of the boundary line between said state; and,

WHEREAS, The above-named Henry R. Pierson, Elias W. Leavenworth and Chauncey M. Depew were by resolution passed on the thirteenth day of July, eighteen hundred and eighty, duly designated and appointed by the said regents of the university of the state of New York as commissioners on the part of the state of New York for the purposes mentioned in said act; and,

WHEREAS, Also, by an act of the legislature of the state of Pennsylvania, entitled 'An act in regard to the boundary monuments on the line between the state of Pennsylvania and New York, with an appropriation for expenses of the same,' passed May eighth, eighteen hundred and seventy-six, the governor of the state of Pennsylvania was authorized and empowered 'to appoint three persons to be a commission to act in conjunction with a similar commission of the state of New York, to examine as to the true location of the monuments which mark the boundary line between this state and the state of New York, and in

connection with said commission of the state of New York, to replace any monuments which may have been dilapidated or been removed on the boundary lines of said states'; and,

WHEREAS, The governor of the state of Pennsylvania, under authority of said act, did duly designate and appoint James Worrall, Christopher M. Gere and Robert N. Torry, to be a commission for the purposes of said act; and,

WHEREAS, James Worrall, the first-named member of said commission, died during the progress of the work on said boundary line; to wit, on April first, eighteen hundred and eighty-five, and the surviving members, to wit: Christopher M. Gere and Robert N. Torry, have continued the work of said commission on the part of the state of Pennsylvania, as authorized by the aforesaid act.

NOW, THEREFORE, the said commissioners for and on behalf of their respective states, having duly performed the duties imposed upon them by the said acts, and having examined said boundary line, and replaced in a durable manner the monuments to mark the same in pursuance of the authority duly given as aforesaid, have agreed and do hereby agree as follows:

First. The channel of the Delaware river, from a line drawn across said channel, from a granite monument erected upon the eastern bank of said river in the year eighteen hundred and eighty-two, by the joint boundary commission of the states of New Jersey and New York to mark the western extremity of the boundary line between said states of New Jersey and New York, in a westerly prolongation of said boundary line up and along said channel of said Delaware river as it winds and turns, for a distance of eighty-five miles or thereabouts, to a line drawn east across said river from a granite monument erected upon the west bank of said river in the year eighteen hundred and eighty-four, by H. W. Clarke and C. M. Gere, to mark the eastern extremity of the first line hereinafter described, shall continue to be a part of the boundary or partition line between the said two states; provided, however, that the limit of territory between the said two states shall be the center of

the said main channel, and provided further, that each state shall enjoy and exercise a concurrent jurisdiction within and upon the water of said main channel between the lines of low water at either bank thereof, between the limits hereinbefore mentioned.

Second. The line extending from the Delaware river aforesaid, at a point upon said river fixed and marked with monuments (which have since disappeared), by David Rittenhouse and Samuel Holland, in the month of November, in the year seventeen hundred and seventy-four, west, as the same was surveyed and marked with monuments in the year seventeen hundred and eighty-six, as far as the ninetieth milestone, by James Clinton and Simeon De Witt, commissioners on the part of the state of New York, duly appointed for that purpose by the governor of said state, in pursuance of an act of the legislature of said state, entitled 'An act for running out and marking the jurisdiction line between this state and the commonwealth of Pennsylvania,' passed seventh March, seventeen hundred and eighty-five, and David Rittenhouse, Andrew Porter and Andrew Ellicott, commissioners on the part of the commonwealth of Pennsylvania, duly appointed for that purpose by the supreme executive council of said commonwealth in pursuance of an act of the general assembly of said commonwealth, entitled, 'An act to authorize and enable the supreme executive council to appoint commissioners to join with the commissioners appointed, or to be appointed, on the part of the state of New York, to ascertain the northern boundary of this state from the river Delaware westward to the northwest corner of Pennsylvania,' passed thirty-first March, seventeen hundred and eighty-five, and from the said ninetieth milestone west, as the same was surveyed and marked with monuments and posts in seventeen hundred and eighty-seven by Abraham Hardenbergh and William W. Morris, commissioners on the part of the said state of New York, duly appointed in the place of Simeon De Witt and James Clinton aforesaid, by the governor of said state in pursuance of the act aforesaid, and the act supplementary thereto, passed by the legislature of said state, twenty-first April, seventeen hundred and eighty-seven, and Andrew Ellicott and Andrew Porter aforesaid, commissioners on the part of the commonwealth of Pennsylvania, to the point where said line is intersected by the line of cession or meridian boundary hereinafter described, which said line so surveyed and marked

in the years seventeen hundred and eighty-six and seventeen hundred and eighty-seven has since been acknowledged and recognized by the said two states as a part of the limit of their respective territory and jurisdiction, shall notwithstanding any want of conformity to the verbal description as written in the charter of the province of Pennsylvania, granted to William Penn in the year sixteen hundred and eighty-two, or as recited by the commissioners aforesaid, continue to be the boundary or partition line between the two said states, from the Delaware river aforesaid, to the said point of intersection with the said line of cession; provided that wherever upon said line the locations of any of the monuments, or posts, erected by the said commissioners in seventeen hundred and eighty-six and seventeen hundred eighty-seven have been lost and cannot otherwise be definitely fixed, then and in that case, and in every case where it is required to establish intervening points in said line, a straight line drawn between the nearest adjacent monuments whose localities are ascertained shall be understood to be, and shall be, the true boundary line.

Third. The line of cession, described as a meridian line, drawn from the forty-fifth degree of north latitude, south through the most westerly bent or inclination of Lake Ontario, in the deed of cession to the United States of certain territory claimed by the state of New York, lying west of said line, executed first March, seventeen hundred and eighty-one, by James Duane, William Floyd and Alexander McDougal, delegates in congress of said United States from the said state of New York, in pursuance of an act of the legislature of said state, entitled 'An act to facilitate the completion of the articles of confederation and perpetual union among the United States of America,' passed February nineteenth, seventeen hundred and eighty, which said territory was afterward conveyed by the United States aforesaid to, and became a part of the territory and jurisdiction of the said commonwealth of Pennsylvania, as the said line was surveyed and marked with posts and monuments of stone in the year seventeen hundred and ninety, by Andrew Ellicott, who was duly appointed for that purpose by the president of the United States, in pursuance of a resolution of congress, passed nineteenth August, seventeen hundred and eighty-nine, which said line, and its prolongation due north into the waters of Lake Erie until it

intersects the northern boundary of the United States aforesaid, have since been acknowledged and recognized by the said two states, as a part of the limit of their respective territory and jurisdiction shall, notwithstanding any possible want of conformity to the verbal description thereof, as contained in said deed of cession, continue to be the boundary or partition line between the two said states, so far as said line so surveyed and marked in seventeen hundred and ninety shall extend.

Fourth. The monumental marks by which the said boundary line, except such portions thereof as may be within the waters of the Delaware river, and Lake Erie, shall hereafter be known and recognized, are hereby declared to be---

I. The original monuments of stone, erected in the years seventeen hundred and eighty-six and seventeen hundred and eighty-seven by the commissioners aforesaid, and in the year seventeen hundred and ninety by Andrew Ellicott aforesaid, as the same have been restored and re-established in their original positions, or have been replaced by granite monuments erected in the years eighteen hundred and eighty-one, eighteen hundred and eighty-two, eighteen hundred and eighty-three, eighteen hundred and eighty-four and eighteen hundred and eighty-five, by H. Wadsworth Clarke, surveyor on the part of New York, and Christopher M. Gere, surveyor on the part of Pennsylvania, duly appointed by the parties hereto.

II. The new monuments of granite, erected in the years eighteen hundred and eighty-one to eighteen hundred and eighty-five, inclusive, by the aforesaid surveyors, at intervals of one mile, more or less, and numbered consecutively, along said line originally surveyed and marked in the years seventeen hundred and eighty-six and seventeen hundred and eighty-seven, beginning from the Delaware river, and severally marked on the north side with the letters 'N. Y. ,' and on the other side with the letters 'Pa.' and along said line originally surveyed and marked in the year seventeen hundred and ninety, beginning at the shore of Lake Erie, and severally marked on the east side with the letters 'N. Y. ,' and on the west side with the letters 'Pa.'

III. The new monuments of granite erected by the said surveyors, in the years eighteen hundred and eighty-one to eighteen hundred and eighty-five, inclusive, aforesaid, at intervening points on said line, and at its intersection with public roads, railroads and rivers, and at other points, and severally marked on the one side with the letters 'N.Y. ,' and on the other side with the letters 'Pa.'

IV. A large monument of granite, erected in the year eighteen hundred and eighty-four by the said surveyors six hundred feet west of the center of the Delaware river in the said line originally fixed in the year seventeen hundred and eighty-six, to mark its eastern terminus; a large monument of granite erected in the year eighteen hundred and eighty-four by the said surveyors in the said line or meridian boundary, as originally fixed in the year seventeen hundred and ninety, one hundred feet north from its intersection with the line originally surveyed as aforesaid, in the years seventeen hundred and eighty-seven, which said point of intersection is marked by a small monument of granite buried in the center of the highway, in eighteen hundred and eighty-four by the said surveyors; and also a large monument of granite erected in the year eighteen hundred and sixty-nine by John V. L. Pruyn, George R. Perkins, Samuel B. Woolworth, and George W. Patterson on the part of the state of New York, and William Evans on the part of the state of Pennsylvania, four hundred and forty feet south of the original monuments erected in the year seventeen hundred and ninety, by Andrew Ellicott aforesaid, upon the south shore of Lake Erie, in the line originally surveyed and marked by him as aforesaid.

Fifth. The field book of said surveyors containing the notes of the re-surveys along said line in the years eighteen hundred and seventy-seven, eighteen hundred and seventy-eight and eighteen hundred and seventy-nine; also the 'record of monuments' prepared by said surveyors, containing the descriptions of the locations of the several monuments erected by them, and of the witness marks thereto; also the maps of said line, and the vicinity thereof, showing the locations of said monuments; and also the 'diary of operations' of said surveyors under the direction of the parties hereto; the same having been duly

authenticated by the signature of the said surveyors, and the several documents and books of record containing the transactions of the parties hereto; all of which being placed on file in the office of the secretary of state of New York, and the office of the secretary of internal affairs of Pennsylvania, shall constitute the permanent and authentic records of said boundary line, and are hereby adopted by the parties hereto, and made a part of this agreement.

Sixth. This agreement shall become binding upon the two states when ratified by the legislatures thereof, respectively, and when confirmed by the congress of the United States.

In witness whereof the said commissioners have hereunto set their hands and seals in duplicate, the twenty-sixth day of March, eighteen hundred and eighty-six, aforesaid.

Executed in the presence of witnesses:

As to Henry R. Pierson: Edward I. Devlin,--- H. R. Pierson, L. S.

As to E. W. Leavenworth: H. W. Clarke,--- E. W. Leavenworth, L. S.

As to Chauncey M. Depew: Edward I. Devlin,--- Chauncey M. Depew, L. S.

As to C. M. Gere: A. D. Birchard,--- C. M. Gere, L. S.

As to Robert N. Torry: Andrew Thompson,--- Robert N. Torry, L. S. "