

form his office therein. All which officers are hereby authorized to enter into all houses, either with a constable or without, where they shall suspect or be informed of any bread baked for sale, as also to weigh all such bread as often as they shall see cause, and seize all such as they shall find deficient; as also to weigh all butter made up for sale, or brought into or being in the town or market to be sold by weight, which, if found light a second time, once after notice is given, shall be forfeited in like manner; as also all bread, made for sale, not being duly marked as aforesaid: of all which forfeitures the said officers shall have one-third part for his trouble; the other two-thirds to the poor as aforesaid.

And for the more effectual prevention of fraud herein:

[Section III.] Be it further enacted by the authority aforesaid, That all persons within this province and territories who bake any bread for sale, shall at all times hereafter have all their bread that they shall bake, either for sale or to spend in their families, made of the due assize, marked, and yielded to trial of the said officer, as is directed in this law, under the penalty of forfeiting all such bread whatsoever as aforesaid.

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, repealed by the Acts of Assembly, passed March 11, 1751-52, Chapter 394; March 14, 1761, Chapter 460; March 21, 1772, Chapter 641; and March 18, 1775, Chapter 709.

CHAPTER LII.

AN ACT FOR PRIORITY OF PAYMENT TO THE INHABITANTS OF THIS GOVERNMENT.

Whereas many persons coming into this province and territories do bring with them considerable cargoes of goods and visible estates, by which means they acquire great and large

credits from the inhabitants of this government; and whereas it is often found upon the death of such persons that the aforesaid cargoes or effects are claimed by others their employers beyond the seas, by bills, bonds, judgments or otherwise made by the parties deceased, whereby it often falls out that the aforesaid inhabitants, who frequently furnish the aforesaid persons with goods suitable for returns to the places whence they came, are defrauded and deprived of their just debts contracted as aforesaid; for prevention whereof for the future:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That where debts are due by any person whatsoever to any of the inhabitants of this province or territories, in all courts within the same, priority of judgments and executions for debts due from any person whatsoever shall be allowed to the inhabitants of this government; and that no foreign debts shall be paid by any executor or administrator till the debts due to the inhabitants of this government be first secured and paid, on penalty to pay the creditors of this government as far as the assets in such executor's or administrator's hands would reach before such foreign debts were paid.

Provided, That the demand be made within one year after the debtor's death.

And for preventing any just creditor being defrauded or prejudiced hereby:

[Section II.] Be it enacted by the authority aforesaid, That all persons [sic] coming into this government in the quality of factors shall within two months after their arrival in this province or territories make entry, in the county court wherein he shall reside, of the name of the person adventuring by him and the value of the goods adventured; and that then every such adventurer, if the factor die, shall be admitted to plead equally with the inhabitants of this government, anything in this act before expressed to the contrary notwithstanding. But in case no such entry be made, all goods imported by any such factors shall be taken to be the proper estate of the possessor, so far only as to be liable to the payment of all debts due by such fac-

tors to the inhabitants of this province or territories, any act, law, custom or usage to the contrary hereof in anywise notwithstanding.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly, passed February 28, 1710-11, Chapter 176.

CHAPTER LIII.

AN ACT FOR THE REGULATING OF STREETS AND WATER COURSES IN THE CITIES AND TOWNS OF THIS GOVERNMENT.

Forasmuch as the ornament of towns and conveniency and health of the inhabitants so much depend upon the due regulation of streets and landing places, and that the said streets and landing places and water courses may be effectually regulated and repaired:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That it shall and may be lawful for the governor, for the time being, with four of his council, from time to time to nominate and appoint such and so many as he and they shall think needful of the substantial inhabitants of the said towns respectively, so often as occasion shall be, to regulate the said streets and water courses and to order the pitching, paving and graveling thereof, as also the clearing of docks where such may be, and repairing landing places and bridges in the said towns; which persons so appointed or the major part of them are hereby empowered to agree with and employ workmen for performing the same from time to time.

Provided, That all water courses under ground in such towns, as aforesaid, shall be arched and laid with brick or stone: and for defraying the charge of pitching, paving, graveling and regulation of the said streets, and scouring and cleansing the