

they might have done, if the said debtor had never been taken in execution, any act, statute, law or custom to the contrary notwithstanding.

[Section XX.] (Section XX, P. L.) And be it further enacted by the authority aforesaid, That this act shall continue in force until the first day of May, in the year one thousand eight hundred and one, and no longer.

Passed April 4, 1798. Recorded L. B. No. 6, p. 300, etc. See Act of February 14, 1729-30, Chapter 315, and note, for legislation for the relief of insolvent debtors.

*The word [act] is omitted in the original law.

CHAPTER MM.

AN ACT TO PREVENT THE DISTURBANCE OF RELIGIOUS SOCIETIES WITHIN THE CITY OF PHILADELPHIA, DURING THE TIME OF DIVINE SERVICE.

Whereas by a law of the late province of Pennsylvania, passed the sixth day of February, one thousand seven hundred and thirty-one, religious societies were enabled to purchase and to hold lands, for the purpose of erecting thereon churches and houses of religious worship, and all gifts, grants and purchases, made before that time, for the purpose aforesaid, are ratified and confirmed by the said law to the respective religious societies, for whose use the said lands were granted, and, under the faith and sanction of said law, sundry religious societies of different denominations have been induced to purchase certain pieces and parcels of ground, in such places as were most convenient in the said city, and have erected thereon, at great expense, churches and other houses of religious worship, and by the constitution of this commonwealth it is declared "that all men have a natural and indefeasible right to worship Almighty God according to the dictates of their conscience." And whereas it would be nugatory to grant the said rights, without securing the peaceable and quiet enjoyment of them:

[Section I.] (Section I, P. L.) Be it further 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 it shall and may be lawful to and for the religious societies aforesaid, and each and every of them, within the city of Philadelphia, and they are hereby authorized and empowered, and [each and] every of them is hereby authorized and empowered, by a suitable person or persons, by them for that purpose to be appointed, at the proper costs and charges of the said religious societies, respectively, to extend and fasten so many chains across the streets, lanes or alleys, and in such place and manner, as may be sufficient to hinder and obstruct all coaches, coachees, chariots, chaises, wagons and other carriages whatsoever, and all and every person or persons riding or traveling on horseback, from passing by the said churches or houses of religious worship, during the time of divine services therein. Provided always, That the said chains, or any of them, be not extended and fastened across the said streets, lanes or alleys, or any of them, at a greater distance from the said churches or houses of religious worship, than twenty feet from the corner nearest to the said chain. And provided always, That the said chains be not extended and fastened in manner aforesaid across the said streets, lanes and alleys, on any other days except Sundays, commonly called the Lord's Day, nor on those days, until commencement of divine service within the said churches or houses of religious worships respectively. And provided also, That the said chains shall be taken down and withdraw before it is dark, and immediately after divine service shall be ended within the said houses or worship respectively.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That in all places where it shall be necessary to erect and fix posts in the ground, for the purpose of fastening thereto the chains to be extended across the streets, lanes and alleys, in manner aforesaid, the said posts shall be set up or fixed on the brick pavement or footway, as near as may be to the street, without inconvenience or injury to the same; and that previous to the setting up any post or posts for the pur-

pose aforesaid, by order and direction of the said religious societies, the person or persons employed to erect the same shall give notice thereof to some one of the street commissioners, who is hereby required to attend in pursuance of such notice, and to superintend and direct the fixing and setting up said posts, so that they be least injurious to the streets, lanes and alleys aforesaid.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That nothing in this act [contained] shall be construed to authorize the extending a chain or chains through or under the markethouse or shambles in High Street; and where any house of religious worship shall be opposite the same, the chain or chains shall be extended on each side thereof, and fastened to the posts to be erected as aforesaid, and to some convenient part of the outside of the said shambles or stalls.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced or prosecuted against any person, for or by reason of anything done in pursuance of this act, every person so sued may plead the general issue, and give this act and the special matter, in evidence.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall remove, or cause to be removed, the post or posts, chain or chains, to be erected or placed by virtue of this act, without consent of the religious society erecting or placing the same, every such person or persons, upon due proof of such offence before any alderman of the said city, shall forfeit and pay the sum of thirty dollars, to be recovered as debts under twenty pounds are recoverable, to be applied to the use of the poor of the said city.

Passed April 4, 1798. Recorded L. B. No. 6, p. 283. For the legislation regulating the streets of Philadelphia, see the Act of March 9, 1771, Chapter 636.