

1700.

## CHAPTER XV.

*An ACT against removing of land-marks.*Remov-  
ing land-  
marks,  
how pu-  
nished

**FOR** the greater security and certainty of the boundaries of land, *Be it enacted*, That no person in this province, or counties annexed, shall cut, fell, alter or remove any certain bounded tree, or other allowed land-mark, to the wrong of his neighbour, or any other person, under the penalty of any sum not less than ten pounds.

Passed in 1700.—Recorded A. vol. I. page 10.

See the acts of March 1st, 1799, and March 20th, 1810, and the first part of the note to the preceding act. Chap. 11, pa. 2.

## CHAPTER XVI.

*An ACT against defacers of charters, &c.*Forgery  
how pu-  
nished.

**WHEREAS** the security of titles and property, in a great measure, depends on the safety and certainty of writings and records, *Be it enacted*, That whosoever shall forge, deface, corrupt or embezzle any charters, gifts, grants, bonds, bills, wills, conveyances or contracts, or shall deface or falsify any inrolment, registry or record, within this province or territories, shall forfeit double the value of the damage thereby sustained, one half whereof shall go to the party wronged; and the person so offending shall be discarded from all places of trust, and publicly disgraced, as a false person, in the pillory, or otherwise, at the discretion of the court before whom the cause shall be tried.

Passed in 1700.—Recorded A. vol. I. page 10. (c)

(c) See the acts of March 1st, 1799, and March 20th, 1810, and the first part of the note to chap. 11. ante. pa. 2.

The punishment of the pillory is taken away, and by an act entitled "An act to reform the penal laws of this state," sect. 4. passed April 5th, 1790, (post. chap. 1505) it is enacted that every person convicted of bigamy, &c. or of any other offence not capital, for which, by the laws in force before the act entitled "An act to amend the penal laws of this state," (passed Sept. 15th, 1786, and repealed by the act of 1790) burning in the hand, placing in and upon the pillory, &c. is, or may be inflicted, shall, instead of such parts of the punishment, be fined, and sentenced to undergo a confinement at hard labour, be fed and clothed as is in that act (c. 1505) directed, for any term not exceeding two years, in the discretion of the court.

By the "Act for acknowledging and recording of deeds," passed in 1715, (chap. 208) sect. 7. If any person shall forge any entry of the said acknowledgments, certificates, or indorsements, whereby the freehold or inheritance of any man may be charged, he shall be lia-

ble to the penalties against forgers of false deeds, &c.

And, by the 5th section of the act entitled "An act for the better preventing of crimes, and for abolishing the punishment of death in certain cases," passed April 22d, 1794, (chap. 1766) every person who shall be concerned in printing, signing, or passing, any counterfeit notes of the banks of Pennsylvania, North America, or the United States, knowing them to be such, or altering any genuine notes of any of the said banks, shall be sentenced to undergo a confinement in the gaol and penitentiary house, for any time not less than four, nor more than fifteen years; and shall also pay such fine as the court shall adjudge, not exceeding one thousand dollars. Or, of the Philadelphia bank, by the 7th sect. of its incorporating act, passed March 5th, 1804, (chap. 2439.)

By the 20th section of the act to regulate the general elections within this commonwealth, passed February 15th, 1799, (chap. 2009) if any person shall knowingly, publish, utter, or make use of any forged or false receipt or certificate (for payment of taxes or of naturalization)

with intent to impose the same upon, or to deceive any judge or inspector, at any election, such person shall incur a fine of fifty dollars, and suffer six months imprisonment.

And, by the 22d section of the same act, if any judge of the election, inspector, clerk, or other person, shall deface, alter, embezzle or destroy, any of the tickets, lists, or tally papers, or certificates, after the election shall be closed, and the said tickets, &c. shall have been deposited in a box, sealed, and delivered to the nearest Justice, &c. such person, so offending, shall forfeit and pay the sum of three hundred dollars to any person who shall sue for the same within six months, and suffer imprisonment for a term not exceeding twelve months.

With respect to the forging, and counterfeiting any current gold or silver coin, see the acts of Feb'y 21, 1767, and April 22d, 1794, (chap. 557, 1766.)

By the act entitled "A further supplement to the penal laws of this state," passed April 4th, 1807, sect. 1, (chap. 2305) instead of two years imprisonment, to which the power of the courts of this commonwealth is limited, in and by the fourth section of an act to reform the penal laws of this state, the said courts are invested with the power of extending the confinement in such cases, to a period not exceeding seven years in their discretion, according to the circumstances of the case before them; except in cases of bigamy, or of being accessory after the fact, in any felony, or of receiving stolen goods, knowing them to have been stolen,

And by the second section of the said act any person convicted in any county in this state, other than the county of Philadelphia, of any of the offences alluded to in the said section, for which he or she shall be sentenced to hard labour, for the space of two years or upwards, may, at the discretion of the court in which such person shall be convicted, within three months after such conviction, be removed to the gaol of Philadelphia, &c. for the remaining part of the time, &c. 1700.

By an act entitled "An act for county seals, and against counterfeiting hands and seals," passed in 1705, (post. chap. 149) counterfeiting the hand or seal of another, with intent to defraud, is punishable by three months imprisonment at hard labour, and a fine of treble the value he or she shall have defrauded, or attempted to have defrauded, thereby, to the use of the party wronged. And counterfeiting the broad seal, or privy seal of the province, is punishable by seven years imprisonment at hard labour, and fined at the discretion of the court, in any sum not exceeding one hundred pounds, &c.

So far as regards the actual offence of Forgery, it is now subject to punishment by the existing penal laws of the State. But in tracing the history of our laws, it is worthy of remark, that hard labour, now so beneficially applied for the punishment of various crimes, may be found in our body of laws, as early as the year 1705, in the last mentioned act, and also, in chap. 122.

## CHAPTER XXVI.

### *An ACT about binding to the peace.*

*BE it enacted,* That whosoever shall threaten the person of another, to wound, kill or destroy him, or do him any harm in person or estate, and the person so threatened shall appear before a Justice of the Peace, and attest, that he believes that by such threatening he is in danger to be hurt in body or estate; such person so threatening as aforesaid shall be bound over, with one sufficient surety, to appear at the next Sessions or County Court, to be holden for the county where such offence was committed, to be proceeded against according to law; and in the mean time to be of his good behaviour, and keep the peace towards all the King's subjects.

Passed in 1700.—Recorded A. vol. I. page 14.

See the case of the *Commonwealth v. Duane*, & 1 Binney, 98, (in note,) and the Statute 34 Edward, 3, in the note to next chapter, (41.) pa. 6.