

CHAPTER MLXXXVII.

1784.

An ACT to secure the persons employed in the building and fitting ships and vessels for sea, by making the body, tackle, apparel and furniture of such ships and vessels liable to pay the several tradesmen employed in building and fitting them, for their work and materials. (x)

SECT. I. WHEREAS the business of ship-building is a very important branch of the commerce of this state, and ought to receive all proper encouragement: And whereas the several tradesmen employed in this business are liable to losses, by reason that the persons employing them are frequently masters of ships, strangers, and persons having no fixed property in the country, and the ships and vessels by them built, repaired and fitted, are not liable to pay the amount of their bills, whereby their labour and materials have been taken to satisfy other debts, to their discouragement in carrying on so useful a mode of increasing the wealth of the state: For remedy whereof,

SECT. II. *Be it 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 ships and vessels of all kinds, built, repaired and fitted within this state, be, and they are hereby declared to be, liable and chargeable for all debts contracted by the masters or owners thereof, for or by reason of any work done, or materials found or provided, by any carpenter, blacksmith, mastmaker, boatbuilder, blockmaker, ropemaker, sailmaker, rigger, joiner, carver, plumber, painter, or shipchandler, for, upon, and concerning the building, repairing, fitting, furnishing and equipping such ship or vessel, in preference to any, and before any other debts due and owing from the owners thereof.

[SECT. III. And in order to provide a speedy and adequate remedy for such tradesmen, as aforesaid, to recover debts contracted by any person or persons, for the use of such ship or vessel, *Be it enacted by the authority aforesaid,* That it shall and may be lawful for all and every of the said tradesmen to file a libel, in the court of Admiralty of this state, against such ship or vessel, her tackle, furniture and apparel, whereupon process shall issue, and such proceeding shall be had, towards the recovery of such debts, as are usually had in the courts of Admiralty for the recovery of mariners' wages, and other debts actually contracted upon the high seas, and within the jurisdiction of the court of Admiralty, notwithstanding such work was done, and such materials and articles were found and provided, at land, without the jurisdiction of the Admiralty.

SECT. IV. *And be it further enacted by the authority aforesaid,* That all or any of the said tradesmen, to whom any ship or vessel is or shall be indebted for work done, or materials or other articles furnished and provided, may join in one libel for the recovery of all their debts, in the same manner that mariners are permitted, by the

Vessels made liable for debts incurred by repairing.

Jurisdiction of the Admiralty of this state enlarged.

Divers actions may be consolidated into one.

(x) By an act of the 7th day of December, 1789, the salary of the Judge of Admiralty for this state was abolished, as, by the operation of the constitution of the United States, the duties of the office had ceased, chap. 1462. (*Note to former edition.*)

1784. usage of the Admiralty, to join together in one suit; and if more than one suit shall be brought against any ship or vessel by more than one such tradesman as aforesaid, the Judge of the Admiralty shall cause such actions to be consolidated into one, and give one definitive sentence or decree, comprehending all such debts as shall be demanded by all or any of the tradesmen aforesaid, and duly supported, either by libel as aforesaid, or by petition to the court, while one or more of such libels shall be depending.]

On giving security, the vessel shall be discharged.

SECT. V. *And be it further enacted by the authority aforesaid,* That if upon any such libel or petition as aforesaid, the master or owner of such ship or vessel, or his or their agents, shall appear in the said court, and enter into stipulation, with sufficient sureties, to answer all the demands aforesaid, which shall be then filed against such ship or vessel, the said ship or vessel, shall be discharged from the arrest, and shall be permitted to proceed on her voyage.

Proviso.

SECT. VI. *Provided always nevertheless,* That no ship or vessel shall continue to be liable and chargeable for such debts, to the tradesmen aforesaid, longer than the time which shall intervene between the contracting of such debts, and the time of her proceeding to sea, next after the work shall be done or the materials and articles furnished and provided.

Passed 27th March, 1784.—Recorded in Law Book No. II. page 289.

CHAPTER MLXXVIII.

[Sec vol. I. chap. 56. And the note sub-joined pa. 14. for a reference to all the laws on this subject.]

An ACT to regulate fences, and to appoint appraisers in each township in the counties of Bedford, Northumberland, Westmoreland, Washington and Fayette, and to encourage the raising of swine.

SECT. I. **WHEREAS**, by an act of General Assembly of the late province of Pennsylvania, entitled “An act for erecting pounds in each township,” passed the tenth day of May, one thousand seven hundred and twenty-nine, and an act, entitled, “An act concerning cattle, horses and sheep,” passed the fourth day of March, one thousand seven hundred and sixty-three, the heights of a lawful fence therein mentioned are found to be insufficient: And whereas a supplement to an act, entitled “An act to prevent swine running at large,” passed the tenth day of May, one thousand seven hundred and twenty-nine, is found to be injurious to great part of the frontier counties of this state: For remedy whereof,

Fences, their dimensions.

SECT. II. *Be it 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 all fences erected in this state, within the limits herein after mentioned, shall be made and erected in the following manner, that is to say: all worm fences shall be four feet and an half high, with sufficient stakes and riders added thereon, and that the under rail in each pannel shall not exceed five inches from the surface of the ground, and the first four rails in each pannel shall not exceed five inches wide between the rails; and that the said fences shall have at least four