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**CHAPTER 146.**

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**THE LAW FOR IMPOWERING THE JUSTICES IN EACH COUNTY TO LAY OUT  
& CONFIRM ALL ROADS EXCEPT THE KINGS HIGHWAYS OR PUBLICK  
ROADS.**

And Be it Enacted by the Authority aforesaid That all the Kings highways or publick Roads within this province & Territories shall be Laid out by order from the Governor & Council for the time being, which Roads shall be Recorded in the Council Book with the Courses thereof as near as may be And Be it further Enacted by the Authority aforesaid That the Justices of each County Court in this Government Shall & by this Act have power as often as they find needfull in open Court to Order & appoint Six of the Sufficient housekeepers of the Neighbourhood inhabiting near any place where Complaint of the Inhabitants is made for want of a Road or Cart-way into the publick or high Roads and, then to the view the said place And if the said housekeepers or any four of them are Satisfied that there is Occasion & Suitable convenience for a Road or Cart-way at any such place, then to Lay out the same in Such Breadth as the Justices Shall first order & appoint them Provided it exceed not in Breadth Fifty foot & make Return thereof in Writing under their hands to the next County Court after the Laying out thereof And if then & there the Justices Approve of the Same it shall at the same Court be Entred upon Record & from thence forth to be taken deemed & Allowed of to be a Lawfull Road or Cart-way

And To prevent any Difference that may arise among Neighbours about Roads or Cart-ways Laid out by Order of the Governor & Council or any of the County Courts in this Government and which are also entred upon Record before & after the making of this Act, It is hereby Enacted by the Authority aforesaid That all such Roads & Cart-ways Shall be also taken deemed & Allowed of to be Lawfull Roads & Cart-ways.

And Be it further Enacted by the Authority aforesaid that If any person or persons Shall presume to hinder Or Stop any of the said

highways or other Roads heretofore Laid out or hereafter to be Laid out & Allowed And shall Committ any Nusance therein by Falling Trees, making Fences or otherwise & do not remove the Same Nusance within two days after notice thereof given by any of the parties Aggrieved, Such person or persons Shall forfeit the Summ of Five pounds for the publick use of Such County. And it Shall be Lawfull for any person to Remove & Clear Such Roads & Cart ways of such Timber Fencing & Nusance So Laid any Law Usage or Custome to the Contrary notwithstanding.

A.P.S., Original Laws of Pennsylvania from 1693 to 1700, f. 155.  
H.S.P., Cadwalader Collection. Act of May 18, 1699, chapter 6. See  
Vol. II St.L. 68, ch. LV.

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## CHAPTER 147.

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### THE LAW FOR REGULATING ORDINARYS.

Be It Enacted By The Authority aforesaid That no person within this Province or Territories thereof Shall presume to Keep any Ordinary or Publick Drinking House without Lycence first had and obtained of the Governor for the Time being or whome he Deputes and none to Obtain Such Lycence but those who are Recommended to the Governor in order thereto by thee Justices in Open Court in Each Respective County in which he or they intend to keep Such Ordinary or Drinking Houses Upon Penalty of Five pounds to be Levied by Distress And Sale of the offenders Goods to the Governor's use; Which Justices or any three of them have hereby Also Power to Suppress Such ordinary Keepers If they shall be Convicted before them of Keeping or Suffering Disorders in their houses And the methood of Suppressing Shall be by their Sending for the persons or Partys Concern'd And Lay Such Disorders before him or them that offends therein And If he or she doe not Give the Said Justices Such Sattisfaction in the matter as Shall or may Induce them to Continue his or her Lycence that then the Said Justices may Prohibit them by Openly forbiding them to Keepe Such Ordinarys or Drinking Houses for the future, Which Prohibition shall be enter'd Upon Record by the said Justices and if After the Entring