

(the said justice or justices taking to his or their assistance two or more of the skillful freeholders for that purpose). The said hooks to be paid for out of the fines that shall or may accrue by this act; or for want thereof, out of any other money that is or shall be raised in Philadelphia for the use of the said town.

Passed October 23, 1701; 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, and not acted upon. See Appendix 1, Section II. The first section of this act is repealed and supplied by the Acts of Assembly, passed August 26, 1721, Chapter 245; February 6, 1730-31, Chapter 322; February 9, 1750-51, Chapter 388, and September 29, 1787, Chapter 1318. The fourth section is repealed by the Acts of Assembly, passed August 14, 1725, Chapter 287; May 8, 1747, Chapter 372, and March 20, 1856, P. L. 137. The second and fifth sections are supplied by the acts incorporating the boroughs, towns and cities specified.

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## CHAPTER CXI.

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### AN ACT AGAINST SWINE RUNNING AT LARGE IN SEVERAL OF THE TOWNSHIPS WITHIN THIS GOVERNMENT.

Whereas by a law made at Newcastle in the year one thousand seven hundred, entitled "An act for the preventing of swine running at large,"<sup>1</sup> it was enacted under severe penalties that swine should be restrained from running at large in several of the townships and limits therein mentioned, without rings and yokes, which law the inhabitants by their representatives in this assembly complain against as being injurious to the people and destructive of their creatures, whereby subsistence for their families could reasonably be expected, and therefore do desire that it may be repealed:

[Section I.] Be it therefore enacted, and it is 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in General Assembly met, and by the authority of the same, That the said law made at Newcastle as aforesaid be repealed, and it is hereby repealed, any law in this government to the contrary notwithstanding.

And whereas several of the inhabitants of the townships hereafter mentioned conceive themselves much injured by the running of swine at large therein, and desiring by their repre-

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<sup>1</sup> Passed November 27, 1700, Chapter LXXVII.

representatives in this assembly that the same for the future be prevented:

[Section II.] Be it therefore enacted by the authority aforesaid, and it is hereby enacted, That no person or persons inhabiting within the reputed bounds of Philadelphia between Delaware and Schuylkill rivers, or within the town bounds of Chester or Newcastle, shall suffer any swine, hogs, sows, shoats or pigs to go at large within the streets or bounds of the said towns, on penalty of forfeiting all such swine, hogs, sows, shoats and pigs, one-third part thereof to the use of the proprietary and governor, one-third to the taker up thereof, and the other third to the use of the poor of the county where the same shall be so taken up. And if any swine, hogs, sows, shoats or pigs belonging to any person living out of the said town bounds as hereafter mentioned, shall be found at large within the said bounds of the said respective towns, the owner or owners thereof shall forfeit and pay for every such swine, hog, sow, shoat or pig so found the sum of twelve pence to the use of the taker up thereof; hereby [sic] empowering the justices of each respective county court to nominate and appoint a beadle or officer to put this law in execution in such method as they from time to time shall think fit, to the uses aforesaid. That part of the bounds of Philadelphia hereby intended is the north and south ends of the said town, running in a straight line on each side from the river Delaware to Schuylkill. The town bounds of Chester are intended to be between the King's road and Delaware River, extending from Chester Creek to Ridley Creek; and the town bounds of Newcastle hereby intended is the said town as laid out with the marsh adjoining.

[Section III]. And be it further enacted by the authority aforesaid, That if any person or persons within the counties of Bucks, Philadelphia and Chester shall suffer any swine, hogs, shoats, sows or pigs to go without yokes on their necks and be found in any person's inclosure or fenced field, the owner of such swine, hog, shoat, sow or pig shall be subject to make good and pay double damages to the party wronged thereby.

Passed October 28, 1701; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly, passed January 12, 1705-6, Chapter 158.