

magistrates (not exceeding thirty-nine lashes at one time) every three months during the first year after conviction. And if a married person be legally convicted of buggery, he or she shall suffer the same punishment, and the injured husband or wife (if required) shall have a bill of divorcement from bed and board; which divorce, as also all other divorces, shall be granted by the governor or lieutenant-governor for the time being, if required within one year after conviction.

Passed January 12, 1705-6. Allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Acts of Assembly passed May 31, 1718, Chapter 236; September 19, 1785, Chapter 1187; September 15, 1786, Chapter 1241; April 5, 1790, Chapter 1516; April 18, 1795, Chapter 1861; April 4, 1799, Chapter 2051; March 21, 1806, P. L. 570, and March 31, 1860, P. L. 392. Repealed by the Act of March 31, 1860, P. L. 451.

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## CHAPTER CXXV.

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### AN ACT AGAINST BURNING OF HOUSES.

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That whosoever shall be convicted of willfully burning any man's house, warehouse, outhouse, barn or stable, shall forfeit his or her whole estate to the party suffering, and be imprisoned all their lives in the House of Correction at hard labor, to the behoof of the said party suffering. And whosoever shall be convicted of maliciously and voluntarily firing any stacks or ricks of corn, hay, wood or fence, or any vessel, boat or canoe, shall make fourfold satisfaction to the party wronged, and suffer im-

prisonment at hard labor, to the use of the poor, as long as the court shall think fit. And if the party offending be unable to make such satisfaction, then he or she shall make restitution by servitude, as the court shall think reasonable.

Passed January 12, 1705-6. Allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Acts of Assembly passed May 31, 1718, Chapter 236, February 21, 1767, Chapter 557; February 24, 1770, Chapter 612; March 21, 1772, Chapter 652; April 22, 1794, Chapter 1777; March 21, 1806, P. L. 570; April 23, 1829, P. L. 341; April 16, 1849, P. L. 665; April 25, 1850, P. L. 575; March 31, 1860, P. L. 415; April 9, 1869, P. L. 786; April 17, 1869, P. L. 74; June 2, 1870, P. L. 1316, and June 10, 1881, P. L. 117.

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## CHAPTER CXXVI.

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### AN ACT AGAINST DRUNKENNESS AND DRINKING OF HEALTHS.

For the discouragement and punishment of drunkenness:

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That every person disordering or abusing him or herself with excessive drinking unto drunkenness, as also those who are instrumental thereto by imposing strong liquors, with drinking healths or otherwise to provoke the same; and every person suffering any such excess in their houses, being convicted thereof by one or more credible witnesses, shall, for the first offense pay five shillings, or suffer five days' imprisonment at hard labor; and for the second, and every offense after, ten shillings, or ten days' imprisonment as aforesaid.

Passed January 12, 1705-6. Allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, supplied by the Act of Assembly passed March 30, 1779, Chapter 533.