

CHAPTER CLVI.

AN ADDITIONAL ACT FOR THE BETTER PRESERVING THE HIGHWAYS.

For the better amending, repairing and preserving of the highways, now generally spoiled by the extraordinary and unreasonable lading of wagons and other carriages, and drawing the same with horses at length:

[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 from and after the first day of May which shall be in the year of our Lord one thousand seven hundred and six, no traveling wagon, wain, cart or other sort of carriage whatsoever going from or coming to the city of Philadelphia, between the rivers Delaware and Schuylkill, in the county of Philadelphia, wherein any burdens, goods or wares are or shall be carried, shall at any one time travel or be drawn or go in any common or public highway or road with above three horse beasts at length. And if any person or persons shall cause any such wagon, wain, cart or carriage to be drawn with a greater number of horses or oxen, then and in such case the horses or oxen shall all draw in pairs: (That is to say) two a breast, for such a number as they shall use, except one horse, any law, statute or usage to the contrary notwithstanding.

[Section II.] And be it further enacted by the authority aforesaid, That every owner of any wagon, cart, carriage, horse, beasts or oxen offending contrary to this act, being legally convicted before any one justice of the peace by proof of one credible witness, or upon view of the justice himself, shall forfeit for every such offense the sum of forty shillings, one-half part thereof to the surveyors of the highways where the offense shall be committed, to be employed in the repair of the said high-

way[s]; and the other moiety to him that shall discover the same: which fine shall be levied by the constable of such place or division, or by any other officer, by warrant under the hand and seal of such justice of the peace, upon the goods and chattels of the person so offending, rendering the overplus to the owner thereof, all necessary charges in levying the same being first deducted.

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 March 27, 1712-13, Chapter 198. Repealed by the Acts of Assembly passed May 18, 1765, Chapter 526 and March 21, 1772, Chapter 653.

CHAPTER CLVII.

A SUPPLEMENTARY ACT TO THAT ABOUT RAISING COUNTY LEVIES.

Whereas by the law entitled "An act for raising county levies,"¹ it is provided that if any person or persons do, within four weeks after they are assessed, find him or themselves aggrieved thereby, they may have privilege to complain to the assessors who are in the said act directed to meet and sit on the same day of the week on which they made such assessment, four weeks after the same shall be made, to hear such complaints, and may thereupon abate, defalk or increase the said assessment, as the complainant shall appear to be worth, either by the party's own attest or proof of others; but no direction therein being given, how the inhabitants rated or assessed, by virtue of the said act, shall have the knowledge of what their rate or assessment amounts to, for want of which great difficulties have arisen about the execution of the said act, therefore for the preventing the same for the future:

[Section I.] Be it enacted by John Evans, Esquire, by and with Her Majesty's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and

¹ Passed November 27, 1700, Chapter XXXII.