

debt shall, at the request of the person or persons concerned, be by the respective collectors, from time to time, defalked or discounted out of the county assessments or levies to which he, she or they belong, until such debt be fully paid, either by the treasurers according to law or fully discounted as aforesaid, any law, usage or custom to the contrary hereof in anywise notwithstanding.

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 Act of Assembly passed June 7, 1712, Chapter 184. Repealed by the Acts of Assembly passed February 22, 1717-18, Chapter 231, and March 20, 1724-25, Chapter 284.

CHAPTER CLVIII.

AN ACT TO PREVENT THE RUNNING OF SWINE AT LARGE.

Whereas the freeholders and owners of lands and plantations within this province have received great damage and spoil in their cornfields, meadows and out-lands, by swine running at large without rings and yokes, for the prevention whereof for the future:

[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 the Twelfth month, called February, next ensuing the publication hereof, no swine shall be suffered to run at large without rings and yokes, under the penalty of forfeiting half the value thereof, to the use hereafter expressed. Therefore if any person or persons who shall find on his, her or their lands, within fourteen miles of the navigable parts of the river Delaware, any swine, hog or hogs, shoat or shoats, or pigs, without rings in their noses, sufficient to prevent their turning up the ground, and triangular or three cor-

nered yokes or bows about their necks, and to extend at least six inches from the angular point or corner, sufficient to keep them from breaking through fence[s], it shall and may be lawful for him, her or them, all such swine, hogs, shoats or pigs to kill and take, and drive and carry away or to cause them to be killed, taken, driven or carried away; and being so taken and carried away the said takers shall forthwith acquaint a justice of the peace thereof, and being by him legally attested that the said swine were taken as aforesaid without yokes or bows and rings, the said justice shall immediately appoint and order two indifferent persons of the neighborhood to view and make a just and reasonable appraisement of all such swine, hogs, shoats or pigs, and to make return of their value, number and marks unto the said justice of the peace, as soon as conveniently it may be done after such appraisement, one moiety or half the value whereof shall be forfeit to the person or persons, owners or possessors of such lands where found and taken; and he or they that shall take up such swine as aforesaid shall pay unto the said justice of the peace, for the use of the owner or owners of such swine, the other moiety or half part thereof; and thereupon the property of all such swine shall be and remain in the said owner or possessor of land as aforesaid, to his and their own proper use forever.

[Section II.] And be it further enacted by the authority aforesaid, That such justice of [the] peace shall make publication thereof by a paper affixed on his house, and on some tree near the high-road side, declaring the number, marks and appraisement of all such swine, and by whom taken up, to the end that the owners may have notice thereof; unto whom the said justice of [the] peace shall pay the other moiety or half the value of such swine taken and appraised, he first deducting out of the same two shillings for the appraisers, and two shillings for the justice's clerk, for their trouble therein. But if it so happen that the moiety or half part, as appraised, will not pay the said four shillings, then such takers up shall pay what shall be wanting thereof.

Provided nevertheless, That if no person appear within twelve months after appraisement as aforesaid to claim the moiety or half part of such swine that then the said justice shall pay what money he hath received (the charges as aforesaid first deducted) unto the overseer or overseers of the poor of the township where taken up, for the use of the poor of the said township; and the owners of such swine shall be thereupon debarred from any claim or right to the same; any law, usage or custom to the contrary in anywise notwithstanding.

[Section III.] And be it further enacted by the authority aforesaid, That it shall not be lawful for any swine, hogs, shoats or pigs to go at large in the towns of Philadelphia, Chester or Bristol, whether yoked and ringed or not; but if any such shall be found running at large after the first day of the Twelfth month next ensuing, such swine, hogs, shoats or pigs shall be forfeit, one-half to him or them that shall take up the same, and the other half to the use of the poor of the respective towns, to be paid to the overseer or overseers according[ly] to [*sic*] the use aforesaid; the said town of Bristol being all the space contained within half a mile square from the mill-creek up the river Delaware.

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 (as to goats); May 10, 1729, Chapter 303; April 5, 1779, Chapter 842; March 13, 1780, Chapter 892; March 27, 1784, Chapter 1089; March 7, 1800, Chapter 2120; March 28, 1808, P. L. 163; March 30, 1822, P. L. 108; April 18, 1853, P. L. 531 and 550.

CHAPTER CLIX.

AN ACT FOR COLLECTING THE ARREARS OF TWO THOUSAND POUNDS GRANTED TO THE PROPRIETARY.

Whereas by a certain act made and passed at a general assembly held at Newcastle for this province and counties annexed then in conjunction, in the year of our Lord one thousand