

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

seven hundred and again confirmed at another general assembly held at Philadelphia the following year, there was, for divers good causes in the said act recited, granted to our proprietary and governor-in-chief the sum of two thousand pounds current money of this province, to be raised upon the clear value of all real and personal estates and upon the polls of all freemen within the said province and counties, and to be raised and assessed as in the said act is mentioned, of which said sum fifteen hundred and seventy-three pounds were to be paid by the three counties of this province and the remainder by the territories; and whereas by the remissness of the collectors who were appointed to receive the several rates and assessments then laid for raising the said sum, and through divers other concurring causes, upon the proprietary's last departure a considerable part of these rates remain yet uncollected, not only to the loss and damage of the proprietary to whom the same was granted, but also to the dishonor of the government, for remedy whereof, and to the end that the whole said sum of fifteen hundred and seventy-three pounds be duly and fully raised and paid, and the province thereby discharged of the said incumbent debt:

[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 all the several rates or assessments laid upon all or any of the inhabitants of this province by virtue and in pursuance of the afore-recited act, that have not been already paid, shall be duly raised and paid into the proprietary's receiver by the respective collectors, in the several counties or districts in these counties, who were last intrusted with collecting the same, before the twenty-fifth day of the First month next called March, upon the penalty of ten pounds, to be paid by every collector neglecting his duty herein, and the loss of his office if he be otherwise an officer: And where any collector is deceased or removed out of this province and no other has been substituted in his

place there, the sheriff of the county shall undertake and levy the arrears in such district upon the penalty aforesaid. And where any collector or collectors have received any sum or sums of money or other effects in pursuance of the said act, and have not given a due account thereof, and paid in the same, all and every such sum and sums, being proved by their receipts or accounts before a magistrate, shall be forthwith paid in and made good by them, or shall be accounted the first and principal debts upon their estates or upon their security, and be accordingly recovered. And whereas in some places it may have so happened that the rates laid upon some counties or districts after the collectors have fully done their duty, may not amount to the sum or sums wherewith they were charged, by reason of the non-residence of several persons who were taxed for such lands, and others who are deceased or have since removed:

[Section II.] Be it further enacted by the authority aforesaid, That if in any county or district of a county it shall be found as aforesaid, then the justices of the county, or any three of them, upon a precept from the governor and council shall, upon a full consideration of the case and computation of the arrearages, assess so much more upon the county as they shall find necessary to answer the whole sum laid upon that county; and so for every county respectively; notwithstanding which, the assessment upon such lands or estates as belong to non-residents or such as are deceased, shall be still charged and remain a good debt to the county until it shall be duly paid and answered, and shall be recovered as is, by another act now passed this present assembly, directed, entitled "An act for the more easy and effectual collecting the proprietary's quit rents."¹

[Section III.] And be it further enacted by the authority aforesaid, That where any person or persons shall refuse or neglect to pay their assessments when called upon, the officer or collector appointed shall, according to the direction of the afore-recited act for granting the sum aforesaid, levy it by distress and sale of goods, returning the overplus (if any be) after all charges that have been upon that account are first deducted.

¹ Chapter 139.

And that the intention of the said grant or any part of it may not upon any account hereafter be eluded:

[Section IV.] Be it enacted, That no length or slip of time, nor any accident arising from thence, shall in any case invalidate or weaken the grant aforesaid or the execution of any clause or paragraph thereof, but that the same shall be in force and so continue until such time as the respective sums due from each county shall be fully paid. And the governor and council shall from time to time give directions and appoint officers to complete the said collection, who shall be subject to the same penalties as the other collectors hereinbefore mentioned, and shall give all such full and positive orders to the county courts as shall be found necessary for collecting and paying in the arrears of the respective sums laid by the act aforesaid.

Provided always, That the county courts shall at each ensuing court make an inquiry into the several payments that have been or hereafter shall be made to the proprietary's receiver, and shall receive of him acquittances which, when in full or amounting to the sum respectively assessed upon the county, shall be a full discharge to that county from every or anything contained in this or the above-recited act for granting the sums 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. Expired.

CHAPTER CLX.

AN ACT DIRECTING THE QUALIFICATIONS OF ALL MAGISTRATES AND OFFICERS, AS ALSO THE MANNER OF GIVING EVIDENCE.

Whereas our gracious sovereign the Queen, by her order bearing date the one-and-twentieth day of January in the year one thousand seven hundred and two, did amongst other things declare her royal pleasure to be that all persons in judicial or any other office or offices in this province, before their entering