

CHAPTER CLXXIV.

AN ACT AGAINST RIOTOUS SPORTS, PLAYS AND GAMES.

[Section I.] Be it enacted by Charles Gookin, 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 no manner of person or persons of what degree, quality or condition soever he or they be, from and after the publication of this act, by himself, factor, deputy, servant, or other person, shall for his or their gain, lucre or living, keep, have, hold, occupy, exercise or maintain (contrary to the statute made in the thirty-third year of the reign of King Henry the Eighth, entitled "A bill for maintaining of artillery, and the debarring unlawful games,")¹ any common house, alley or place of bowling, quoiting, closh-kayles, half-bowls, tennis, dicing, tables or carding, or any other manner of game prohibited by the laws of Great Britain, now invented or made, or any such other game hereafter to be invented, found, had or made, upon pain to forfeit and pay for every day keeping, having, maintaining or suffering any such game to be had, kept, executed, played or maintained within any such house, garden, alley or other place, contrary to the form and effect of this act, the sum of forty shillings; and also, every person using and haunting any of the said houses and plays, and there playing, shall forfeit for every so doing the sum of six shillings and eight pence.

[Section II.] Be it further enacted by the authority aforesaid, That it shall be lawful for all and every the justices of the peace in every county of this province, mayors, sheriffs, bailiffs and other head officers within every city, town or borough within this province, from time to time (as well within liberties as without) as need and case shall require, to come, enter and

¹ 2 Ruff head, 307.

resort unto all and every houses, places and alleys where such games shall be suspected to be holden, exercised or occupied contrary to the form of this act, and as well the keepers of the same as also the persons there haunting, resorting and playing, to take, arrest and imprison, and them so taken and arrested, to keep in prison until such time as the keepers and maintainers of the said plays and games have found sureties to the Queen's use, to the support of this government, to be bound by recognizance, or otherwise, no longer to use, keep or occupy any such house, play, game, alley or place. And also, that the persons there so found be in like case bound by themselves, or else with sureties by the discretion of the justices, mayors, sheriffs, bailiffs or other head officers, no more to play, haunt or exercise, from thenceforth in, at or to any of the said places or at any of the said games.

[Section III.] Be it further enacted by the authority aforesaid, That no manner of artificer or craftsman, or any handicraft or occupation, husbandman, apprentice, laborer, servant at husbandry, journeyman, or servant of artificer, mariners, fishermen, watermen, or any serving man, shall contrary to the said statute, from and after the publication hereof, play at the tables, tennis, dice, cards, bowles, closs, loggating, or any other game prohibited, as abovesaid, under the pain of twenty shillings, to be forfeit for every time. And that all justices of [the] peace, mayors, bailiffs, sheriffs, and all other head officers, and every of them, finding or knowing any person or persons using or exercising any such games, contrary to this act, shall have full power and authority to commit every such offender to ward, there to remain without bail or mainprise until such time that they, so offending, be bound by obligation, for the use of the Queen, for the support of this government, as aforesaid, in such sums of money as by the discretion of the said justices, mayors, bailiffs, or other head officers shall be thought reasonable, that they or any of them shall not from thenceforth use any such game.

Provided always, That all informations, complaints, actions or suits that shall be taken or sued upon any part of this act, shall

be commenced within the year after the offense committed and done, or otherwise no advantage or suit thereof to be taken.

And to the intent that every person may have knowledge of this act and avoid the danger and penalties of the same:

[Section IV.] Be it enacted by the authority aforesaid, That the justices of the peace in each county of this province shall at every of the courts of quarter-sessions or otherwise, as often as the court shall think fit, cause this act to be openly read therein.

[Section V.] Be it further enacted by the authority aforesaid, That from and after the publication of this act, no person of what age, sex, degree or quality soever, shall contrary to the statute of the ninth and tenth years of the reign of King William the Third,¹ chapter the second, make, sell or utter or expose to sale any squibs, rockets, serpents or other fireworks, or any cases, moulds or other implements for the making such fireworks, or permit any such fireworks to be thrown or fired out of or in their houses or lodgings, or any part or place thereto adjoining, or into any public street, highway, road or passage, nor throw or fire, or to be aiding in the throwing or firing of any such fireworks, in or into any public street, house, shop, river, highway, road or passage, but every such offense shall be adjudged a common nuisance.

[Section VI.] And be it further enacted by the authority aforesaid, That from and after the publication of this act, any person, as aforesaid, of what age, sex, degree or quality soever who shall make, give, sell or utter, or expose to sale any squibs, rockets, serpents, or other fireworks, or any cases, moulds, or other implements for making thereof, and be convicted thereof before one or more justices of the peace of the city, county or division, or chief-magistrate of the place where such offense shall be committed, by confession of the party or affirmation or oath of two witnesses, shall for every such offense forfeit any sum under forty shillings. And any person whatsoever, who after the publication of this act, shall permit or suffer any such fireworks to be thrown, fired from, out of or in their houses, shops, dwellings, [or] lodgings, into any public street,

¹ 3 Ruffhead, 693.

highway, road or passage, or any other house or place whatsoever and shall be convicted thereof as aforesaid, shall for every such offense forfeit twenty shillings; the said several forfeitures to be levied by distress and sale of goods and chattels of the offender, by warrant of the said justices or chief-magistrates, one-half to the use of the poor of the city, county or division where any such offense shall be committed, and the other to the prosecutor.

[Section VII.] And be it further enacted by the authority aforesaid, That any person as aforesaid, who shall throw, or fire or assist in the throwing or firing any such fireworks, in or into any public street, house, shop, river, highway, road or passage, and be thereof convicted, as aforesaid, shall for every such offense, forfeit twenty shillings to the uses aforesaid, and pay the same immediately to the said justices or chief-magistrate, or be sent to the House of Correction, there to be kept to hard labor, for any time not exceeding one month, unless such offender sooner pay such forfeiture.

Passed February 28, 1710-11. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Acts of Assembly passed August 26, 1721, Chapter 245, and February 9, 1750-51, Chapter 388.

CHAPTER CLXXV.

AN ACT TO PREVENT DISPUTES WHICH MAY HEREAFTER ARISE ABOUT THE DATES OF CONVEYANCES AND OTHER INSTRUMENTS AND WRITINGS.

Whereas the generality of the inhabitants of this province do conscientiously scruple to call the names of the months as they are usually called; but the month which others call March they call the First month, and the month, commonly called April, the Second month, and so of the rest of the months of the year; and the dates of many deeds, conveyances and other writings, as well as the times of payment of money, are ac-