

## CHAPTER CCLXXIX.

## AN ACT TO IMPROVE THE BREED OF HORSES, AND REGULATE RANGERS.

Whereas the multitude of small sized stone-horses running at large in the woods has very much degenerated the breed of good horses, and is found very detrimental to the inhabitants of this province, it is thought necessary that some suitable remedy be provided in that behalf; we therefore pray that it may be enacted:

[Section I.] And be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., 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 publication of this act no stone-horse of above eighteen months old shall be suffered to run at large within this province unless such horse be of a comely proportion, and by the judgment of the taker-up and one other freeholder in the neighborhood where he is taken up, shall be full thirteen hands high, from the ground to the withers, reckoning four inches standard measure to one hand.

And in case any stone-horse otherwise than is above described, shall be found loose and at large in the woods, it shall and may be lawful for any freeholder to take up and secure such horse or horses in order to have them cut or gelt by a skillful gelder, on the risk of the owner, or cause him or them to be detained until the owner or owners of such horses (having speedy and convenient notice thereof) shall geld or cut, or cause them to be gelt or cut; for which taking up and gelding the owner or owners of such horse or horses shall pay to the person so taking up, securing and gelding, the sum of ten shillings, to be recovered in like manner before any justice of the peace as a debt under forty shillings.

Provided always, That no person shall be entitled to the said sum of ten shillings unless proof be made by one or more credi-

ble witnesses that the horse so gelt was seen well one month after the time of gelding.

[Section II.] And be it enacted by the authority aforesaid, That if any stone-horse or horses shall be found at large, above the age aforesaid, and under fourteen hands high, it shall and may be lawful for any freeholder to take up such horse or horses, and with the assistance of two other sufficient freeholders of the neighborhood where such horse is taken up, to view the said horse or horses, and if they shall judge such horse or horses not of comely proportion, or fit to run at large, according to the intent and meaning of this act, then it shall be lawful for the said freeholders to order the same to be gelt by such a person as is above directed. And all persons whatsoever that are or shall be owner or owners of such horse or horses so adjudged and gelt shall pay the like sum as above allowed, to be recovered in the same manner as is by this act directed, any law, usage or custom to the contrary in anywise notwithstanding.

[Section III.] And be it enacted by the authority aforesaid, That if any horse or colt shall be taken and gelt, according to the direction of this act, and no owner can be found in the space of twelve months, that then and in such case it shall and may be lawful for such person or persons, with the advice and consent of any two justices of the peace of the county to which they respectively belong, to sell the same by public vendue, for the most that can be got; and all and every such person and persons are hereby required to pay all the moneys arising by such sales, (after the deduction of all incident charges allowed by this act), into the hands of the county treasurer for the time being, for the use of the county.

[Section IV.] And be it further enacted by the authority aforesaid, That no person by color of commission or as common ranger, shall be allowed to range in the woods or forests after horses or mares, without license first obtained from the county court where he lives, under the penalty of suffering as a horse-stealer for every horse or mare that such unlicensed person shall take up, brand, mark or dispose of.

And forasmuch as it will be absolutely necessary for one or

more persons in the respective counties of this province to be licensed as rangers in and for each county, who are hereby empowered and required to take up and secure all horses and mares for which no owner can be found, and all such horses and mares (after they have been posted in three or more public places within every county of this province, at least one year), to sell and dispose of in such manner as is before by this act directed, which said license the justices, at their general quarter-sessions of the peace for the said respective counties, are hereby empowered and required to grant and make such allowances to the said rangers for taking up and securing the horses and mares aforesaid, as they shall think fit.

[Section V.] And be it further enacted by the authority aforesaid, That in case any person or persons shall at any time be sued for anything they do by virtue of this act, they may plead the general issue, and give this act in evidence.

Passed May 9, 1724. Apparently never submitted to the consideration of the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix V, Section I, and the Acts of Assembly passed February 4, 1748-49, Chapter 375; December 9, 1789, Chapter 1478; April 22, 1794, Chapter 1774. Repealed by Act passed March 20, 1810, P. L. 188.

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## CHAPTER CCLXXX.

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AN ACT FOR THE BETTER ENABLING OF JOHN CRATHO, MERCHANT, CASPAR WISTAR AND NICHOLAS GATEAU TO TRADE AND TO BUY AND HOLD LANDS IN THIS PROVINCE.

Whereas by the royal charter of the late King Charles the Second to William Penn, Esquire, late Proprietary and Governor of the province of Pennsylvania, license is granted to all persons not specially forbidden to transport themselves and families into the said province, in such shipping as by the laws of the kingdom of England they ought to use, paying the customs therefor due; and here to settle themselves, dwell and inhabit, and plant for the public and their own private advantage, with license to purchase and hold lands in fee-simple or