

dwelling house or other building under the penalty of ten shillings for every offense, which penalties so accruing shall be recovered and applied in the manner and to the use aforesaid with costs of suit, and the hay and fagots so remaining against the tenor of this act shall be liable to be removed in such sort, manner and form as any nuisance may be by the laws of Great Britain or this province.

Passed February 6, 1730-31. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I, and the Act of Assembly passed April 12, 1828, P. L. 344.

CHAPTER CCCXXIII.

A SUPPLEMENT TO THE LAW, ENTITLED "AN ACT TO PREVENT THE KILLING OF DEER OUT OF SEASON AND AGAINST CARRYING OF GUNS AND HUNTING BY PERSONS NOT QUALIFIED."¹

Whereas the said law limits the conviction of offenders against the said act to be within two months next after such offense is committed, by the oath or affirmation of one or more witnesses. But forasmuch as there is no provision made against hunting and chasing deer out of season nor any person under any obligation to prosecute, many offenders pass with impunity, and the good end and purpose for which the said act was made is eluded and rendered not so beneficial as it otherwise might be:

[Section I.] Therefore be it enacted by the Honorable Patrick Gordon, Esquire, Lieutenant-Governor of the province of Pennsylvania, &c., by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That if any person or persons shall after the publication hereof [hunt, chase or follow] any buck, doe, fawn or any deer whatsoever at any other time or season excepting only between the first day of July and the first day of January, and shall be lawfully

¹ Passed August 26, 1721, Chapter 246.

convicted thereof by the oath or affirmation of one or more witnesses or the confession of the party before one or more justices of the peace for the respective county where such offense shall be committed, he or they shall forfeit and pay for every such offense the sum of ten shillings, to be recovered as aforesaid and for the uses in the aforesaid act directed.

[Section II.] Be it further enacted by the authority aforesaid, That the constables of each respective township in every county of this province having any knowledge of any offenses against this and the said-recited act shall and are hereby required to present every such offense to some one justice of the peace for the respective county where such offense shall be committed or before the justices of the general quarter-sessions of the peace for the same county, together with the name or names of all such offenders. And the said justice or justices of the respective sessions aforesaid are hereby empowered and required to hear and determine the same and to convict the offenders in the penalties and forfeitures mentioned in this and the said-recited act, so that such conviction shall be within four months next ensuing after such offense committed, anything in the said-recited act or any other law of this province to the contrary in anywise notwithstanding.

Provided, That nothing herein contained shall be deemed or taken to disannul, alter or make void the said-recited act or anything therein contained, but that every clause, article and sentence therein, except what is hereby altered or supplied, shall be and remain in full force and virtue.

Passed February 6, 1730-31. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I, and the Act of Assembly passed January 27, 1749-50, Chapter 383; (repealed by the Act of Assembly passed) April 9, 1760, Chapter 456.