

P. L. 277; March 29, 1832, P. L. 190; April 8, 1833, P. L. 215; February 21, 1834, P. L. 69; April 14, 1834, P. L. 333; April 11, 1835, P. L. 196; (the Constitution of 1838, Article V, Sections IV-V and VII;) March 14, 1849, P. L. 166; April 22, 1850, P. L. 543; April 3, 1868, P. L. 636; (the Constitution of 1873, Article V, Sections I-III-V and VII;) April 9, 1874, P. L. 54; March 18, 1875, P. L. 28; April 12, 1875, P. L. 69; April 24, 1879, P. L. 32; June 10, 1881, P. L. 113; August 7, 1883, P. L. (1885) 323; June 12, 1895, P. L. 190.

As to Sections VII and VIII, see the Acts of Assembly passed February 28, 1780, Chapter 878; April 15, 1834, P. L. 537; March 28, 1853, P. L. 708; June 1, 1883, P. L. 58; April 19, 1895, P. L. 38.

As to Sections X-XII, see note to the Acts of Assembly passed May 26, 1744, Chapter 360, and the Act of Assembly passed September 21, 1756, Chapter 412.

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## CHAPTER CCCLXXVIII.

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A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR IMPOSING A DUTY ON PERSONS CONVICTED OF HEINOUS CRIMES AND TO PREVENT POOR AND IMPOTENT PERSONS BEING IMPORTED INTO THIS PROVINCE."<sup>1</sup>

Whereas by an act of the general assembly of this province passed in the third year of the reign of King George the Second, entitled "An act for imposing a duty on persons convicted of heinous crimes and to prevent poor and impotent persons being imported into this province," Charles Read, late of the city of Philadelphia, merchant, deceased, was in his lifetime appointed collector of the duties by the said act imposed; which act of assembly, by another act of assembly passed in the sixteenth year of the present reign, was repealed; and the said repealing act, on being presented to the King and council, was disallowed, by means whereof the act of assembly first mentioned is again come in force. And forasmuch as the circumstances of this province require the said act should be put in execution until one better adapted to the circumstances of the province shall be provided; and whereas no provision is therein made for appointing another officer instead of the said Charles Read, deceased:

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<sup>1</sup>Passed February 14, 1729-30, Chapter 314.

[Section I.] Therefore be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex upon Delaware, 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 Joseph Prichard, of Philadelphia, gentleman, be and hereby is nominated and appointed collector of the duties imposed by the act of assembly first herein recited, and for the doing and performing all and every other the matters and things appertaining to the said office by virtue of the said act or any other as fully as the said Charles Read in his lifetime or any other the officers appointed to the said service was or were empowered to do or might or could have done, and as fully as if the said Joseph Prichard had been expressly named in the body of the said act; he the said Joseph Prichard first taking an oath or affirmation before one of the justices of the peace of the county aforesaid (which the said justice, on application to him made by the said Joseph Prichard, is hereby authorized and enjoined to administer) for the faithful and impartial discharge of the trust by this act committed to him according to the best of his skill and knowledge.

[Section II.] And be it further enacted by the authority aforesaid, That there shall be paid to the mayor or justices or other magistrates for the examination, permit and certificate required of them by the said act nine pence per head, and to the collector or his deputy for the services required of him by the said act twelve pence per head, one-half thereof to his own use for the services enjoined him by this act, and the other half to be paid to the trustees of Province Island for the time being, to be applied to repair the buildings there, to provide conveniencies for the reception of such sick persons as shall be sent thither and for such other uses as by them shall be found necessary in discharge of their trust, for which sums of money so to be received the said trustees shall duly account in like manner as for other money received in pursuance of the trust reposed in them.

[Section III.] And be it further enacted by the authority

aforesaid, That the collector aforesaid shall have and receive all other the fees, perquisites and rewards for the services enjoined by the said act of assembly as fully and amply as if he had been named in the said act. And if it shall so happen that the said Joseph Prichard shall by any accident be rendered incapable to execute the said office or shall misbehave himself therein or shall happen to die, that then and so often it shall and may be lawful for the mayor, recorder and aldermen of the city of Philadelphia or the majority of them to nominate and appoint some other fit person to supply the place until the assembly shall appoint another; the said person and persons so to be nominated and appointed first taking a qualification for the impartial discharge of the trust reposed in him in manner aforesaid.

Passed August 19, 1749. Never submitted to the consideration of the Crown. See note to the Act of Assembly passed February 14, 1729-30, Chapter 314. Repealed by the Act of Assembly passed August 24, 1761, Chapter 391.

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## CHAPTER CCCLXXIX.

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### AN ACT FOR AMENDING THE LAWS RELATING TO THE POOR.

Whereas divers persons within this province by their last wills or otherwise may hereafter devise, bequeath or give lands, tenements or sums of money to the use of the poor, and questions may arise whether the overseers of the poor can take by such gifts, devises or bequests or maintain actions for the same:

[Section I.] Be it therefore enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, 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 all gifts, grants, devises and bequests hereafter to be made of any houses, lands, tenements, rents, goods,