

Provided always nevertheless, That nothing herein contained shall be deemed, held or construed to restrain, prohibit or prevent any person or persons whatsoever from making use of or fishing with hoop nets, but that all such nets may be used for the taking of fish in the said river in the same manner as if the provisions herein contained had not been made and enacted.

[Section III.] And be it enacted by the authority aforesaid, That this act shall continue and remain in force for and during the space of three years and from thence to the end of the next sitting of assembly and no longer.

Passed February 21, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed March 14, 1761, Chapter 465; and the Act of Assembly passed March 9, 1771, Chapter 621. Expired.

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## CHAPTER DLIV.

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AN ACT FOR AMENDING THE ACT, ENTITLED "A SUPPLEMENT TO THE ACT,<sup>1</sup> ENTITLED 'A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR REGULATING, PITCHING, PAVING AND CLEANSING THE HIGHWAYS, STREETS, LANES AND ALLEYS AND FOR REGULATING, MAKING AND AMENDING THE WATERCOURSES AND COMMON SEWERS WITHIN THE INHABITED AND SETTLED PARTS OF THE CITY OF PHILADELPHIA AND FOR RAISING MONEY TO DEFRAY THE EXPENSE THEREOF." "2

Whereas by an act of general assembly passed in the third year of His present Majesty's reign, entitled "A supplement to the act, entitled 'An act for regulating, pitching, paving and cleansing the highways, streets, lanes and alleys and for regulating, making and amending the watercourses and common sewers within the inhabited and settled parts of the city of Philadelphia and for raising money to defray the expense thereof,' "1 it was among other things enacted that from and after the first day of March which should be in the year of our

<sup>1</sup> Passed March 4, 1763, Chapter 485.

<sup>2</sup> Passed February 8, 1766, Chapter 537.



of the representatives 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 it shall and may be lawful for any person or persons residing in the said city, district or townships to transport or carry with his, her or their own wagon, wain or cart for his, her or their own proper use, but not for hire, any matters or things whatsoever with two beasts of draught only, provided such matters and things do not exceed in any one load half a ton weight, on or through any of the paved parts of the said city, and with any greater number of beasts of draught within [on] or through any other parts of the said city not paved, although the fellies of the wheels of such wagon, wain or cart be not of the dimensions aforesaid, anything in the said recited acts of assembly, or either of them, to the contrary notwithstanding.

[Section II.] And be it further enacted by the authority aforesaid, That if any person or persons residing in the said city, district or townships, his, her or their servant or servants, shall, after the publication of this act, transport or carry in his, her or their wagon, wain or cart on or through the paved parts of the said city, or any of them, any greater burden than half a ton weight unless the fellies of the wheels of such wagon shall be of the breadth of four inches as aforesaid, and the fellies of the wheels of such wain or cart shall be of the breadth or gauge of seven inches as aforesaid, every owner or owners of such wagon, wain or cart shall forfeit and pay for every such offense the sum of five pounds, to be recovered by the commissioners for paving the streets, &c., of the said city in the same manner as debts not exceeding five pounds are by law recoverable, to be by them applied towards keeping in repair the streets aforesaid.

Provided always, That nothing in this act contained shall be deemed or construed to extend to permit or suffer any person or persons residing or dwelling in the said city, district or townships or his, her or their servant or servants to transport or carry in his, her or their wagon, wain or cart through, in or upon the paved parts of the said city any stones, bricks, iron, lead, cordwood, coal, scantling, timber, boards, lime, loam, sand or

gravel with more than one beast of draught unless the fellies of the wheels of such wagon, wain or cart shall be of the respective dimensions aforesaid, anything herein to the contrary thereof in any wise notwithstanding.

[Section III.] And be it further enacted by the authority aforesaid, That so much of the said recited acts of general assembly as is hereby altered and supplied be and is hereby repealed, and that this act shall continue and be in force for and during the same space of time as the said recited acts do and shall continue and no longer.

Passed February 21, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed March 26, 1762, Chapter 480. Repealed by the Act of Assembly passed February 18, 1769, Chapter 594.

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## CHAPTER DLV.

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AN ACT TO PREVENT THE MISCHIEFS ARISING FROM THE INCREASE OF VAGABONDS AND OTHER IDLE AND DISORDERLY PERSONS WITHIN THIS PROVINCE.

Whereas the number of rogues, vagabonds and other idle and disorderly persons daily increases in this province, to the great loss and annoyance of the inhabitants thereof:

For remedy whereof:

[Section I.] Be it enacted by the Honorable John Penn, 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 persons who shall unlawfully return to such city, township or place from whence they have been legally removed by order of two justices of the peace without bringing a certificate from