

vagabonds or other idle, dissolute and disorderly persons found loitering or residing in the city of Philadelphia, district of Southwark or townships of Moyamensing and Passyunk and the Northern Liberties mentioned in the act, entitled "An act for the better employment, relief and support of the poor within the city of Philadelphia, the district of Southwark, the townships of Moyamensing and Passyunk and the Northern Liberties,"¹ anything in this act contained to the contrary thereof in any wise notwithstanding.

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.

As to Sections I-III and VI, see the Acts of Assembly passed April 5, 1790, Chapter 1516; April 14, 1835, P. L. 232; March 22, 1836, P. L. 173; June 13, 1836, P. L. 539; March 31, 1853, P. L. 266; April 18, 1853, P. L. 726; April 13, 1859, P. L. 595; March 27, 1860, P. L. 300; April 2, 1860, P. L. 536; March 21, 1866, P. L. 259; April 11, 1866, P. L. 720; June 2, 1871, P. L. 1301; May 8, 1876, P. L. 154; May 3, 1878, P. L. 40; April 30, 1879, P. L. 33; (Section I repealed by the Act of Assembly passed) May 17, 1883, P. L. 35; June 13, 1883, P. L. 100; May 18, 1887, P. L. 122; May 23, 1889, P. L. 277; June 16, 1891, P. L. 303; June 26, 1895, P. L. 377.

As to Sections IV and V, see the note to the Act of Assembly passed February 22, 1717-18, Chapter 229.

CHAPTER DLVI.

AN ACT TO PREVENT INCONVENIENCES ARISING FROM DELAYS OF CAUSES AFTER ISSUE JOINED.

Whereas many great inconveniences have arisen to the inhabitants of this province by means of delaying the trials of causes between party and party after issue joined:

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

¹ Passed February 8, 1766, Chapter 534.

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 where any issue is or shall be joined in any action or suit at law in any of the courts of this province, and the plaintiff or plaintiffs in any such action or suit hath or have neglected or shall neglect to bring such issue on to be tried according to the course and practice of the said courts respectively, it shall and may be lawful for the judges or justices of the said courts respectively, at any time after such neglect, upon motion made in open court, due notice having been given thereof in open court the preceding term, to give the like judgment for the defendant or defendants in every such action or suit as in cases of nonsuit unless the said judges shall upon just cause and reasonable terms allow any further time or times for the trial of such issue; and if the plaintiff or plaintiffs shall neglect to try such issue within the time or times so allowed, then and in every such case the said judges or justices shall proceed to give such judgment as aforesaid.

[Section II.] Provided always, and be it enacted by the authority aforesaid, That all judgments given by virtue of this act shall be of the like force and effect as judgments upon nonsuit and of no other force or effect.

Provided also, That the defendant or defendants shall upon such judgment be awarded his, her or their costs in any action or suit where he, she or they would upon nonsuit be entitled to the same, and in no other action or suit whatsoever.

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 May 22, 1722, Chapter 255.