

CHAPTER MMDLXCIX.

A SUPPLEMENT TO SUNDRY PENAL LAWS OF THIS COMMONWEALTH.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of August next, the court before which any person shall be convicted of felony or larceny, and sentenced to undergo an imprisonment at hard labor and confinement, for any term not exceeding three years, shall be vested with a discretionary power of directing the imprisonment, labor and confinement aforesaid to be had and performed in the jail of any county within this commonwealth, or in the jail and penitentiary of Philadelphia.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That in all cases of larceny, wherein by the laws of this commonwealth, in addition to restitution of goods stolen, it is directed that any person convicted of such crime shall pay to the commonwealth the like value of such goods; and in all cases, where by law, a fixed or specific fine is affixed to the commission of any crime; the court before which conviction of any of the crimes aforesaid shall be had, is hereby authorized in lieu thereof, to sentence the offender to pay such fine as the said court in its discretion may judge right: Provided, the same shall not exceed the fine heretofore affixed by law.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall wilfully set fire to any barn, stable or out house; or to any barrack, rick, or stack of hay, grain, or bark; with intent to destroy the same; or shall be an accessory or accessories before the fact; such person or persons being thereof legally convicted, shall suffer an imprisonment at hard labor in the jail and penitentiary house in the city of Philadelphia, for any

term not less than five years, nor more than twelve years, and pay a fine not exceeding two thousand dollars, at the discretion of the court.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That from and after the publishing of this act, it may and shall be lawful for any of the presidents of the courts of common pleas, to admit to bail any person accused of any or either of the crimes of robbery, burglary, sodomy, or buggery, as fully, amply, and effectually, as the judges of the supreme court, or some or one of them might or could do, under the act, entitled "An act to reform the penal laws of this state," passed the fifth day of April, Anno Domini one thousand seven hundred and ninety,⁽¹⁾ any law to the contrary notwithstanding.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That so much of any law or laws as is hereby altered or supplied, be and the same is hereby repealed and no further.

Approved March 21, 1806. Recorded in L. B. No. 10, p. 350.

Note (*) Chapter 1516; 13 Statutes at Large, p. 511.

CHAPTER MMDCC.

AN ACT TO VEST IN THE COURTS OF COMMON PLEAS CERTAIN POWERS CONCERNING WRITS OF PARTITION.

Section I. (Section I; P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from henceforward the respective county courts of common pleas, shall have and exercise all the powers which the supreme court had and possessed by the act passed the eleventh day of April one thousand seven hundred and ninety-nine, entitled "An act concerning writs of partition,"⁽¹⁾ as to the granting and proceeding upon writs of partition, at the suit of any tenant in common, joint tenant or copartner; but in every case the writ of partition