

1700. therewith, shall be accounted and allowed to be good by the afore-said officer, until the said standards shall be had and obtained.

III. *And be it further enacted,* That no person shall sell beer or ale by retail, but by beer measure, according to the standard of England. (1)

Passed in 1700.—Recorded A. vol. I. page 65.

speedily be made by the Federal Government some general and permanent provision, which would supersede the necessity of any state regulations. As the constitution of the United States, (art I. sect. 8,) vests in Congress the

power of fixing the standard of weights and measures, and as a general regulation is contemplated by that body, the Legislature of Pennsylvania has not hitherto interposed on the subject. (*Note to former edition.*)

(1) By an act passed in 1705, (post. chap. 138) any person licensed to keep any tavern, inn, alehouse, or victualling house, shall sell beer and ale by wine measure, to all persons who drink it in

their houses, and by beer measure to all such persons as carry the same out of their houses, under the penalty of ten shillings, &c. and this act is confirmed, ~~except~~ the third section.

CHAPTER LXXV.

An ACT for keeping a registry in religious societies.

BE it enacted, That the registry now kept, or which shall hereafter be kept by any religious society, in their respective meeting-book or books, of any marriage, birth or burial, within this province, or territories thereof, shall be held good and authentic, and shall be allowed of upon all occasions whatsoever.

Passed in 1700.—Recorded A. vol. I. page 67. (m)

(m) Copy of the register of births and deaths of the people called Quakers, in England, proved to be a true one before the Lord Mayor of London, allowed to be given in evidence to prove the death of a person. *Lessee of Hyam et al. v. Edwards.* 1 Dallas, 2.

Ex parte affidavit made in England, is evidence of pedigree. So, a leaf extracted from a family bible, containing entries of births and deaths of children, sworn to by some of the children, is good evidence. 2 Dallas, 116.

An *ex parte affidavit* is good evidence to prove the identity of a person, so far as it respects his marriage or pedigree. MSS. Reports, Sup. Court.

Recitals in a conveyance from divers persons said to be the children of *C. Sparks*, (who had entered an application) to the lessor of the plaintiff, for the lands in question, held to be evidence of the pedigree. *Lessee of Paxton v. Price.* Bedford, April 1795. MSS. *Nisi Prius Reports.*

CHAPTER LXXXI.

An ACT about cutting timber-trees.

BE it enacted, That if any person or persons, within this province or territories, shall be convicted of cutting or felling any black walnut-trees upon another person's land, without leave, he shall forfeit, to the owner thereof, five pounds for every tree so felled and cut; and for other timber fifty shillings each tree; and for fire or under-wood, double the value thereof, to the use aforesaid.

Passed in 1700.—Recorded A. vol. I. page 71. (n)

(n) See the acts of March 1st, 1799, and March 20th, 1810, and the first part of the note to chap. 11, ante pa. 1, and the act against removing land-marks,

chap. 15, ante pa. 4, and the act to prevent the damages which may happen by firing of woods, passed April 18th, 1794, (post. chap. 1732.)

Note. The foregoing laws were passed at New Castle, at a Session, begun October 14th, and ended November 27th, 1700.

Registries of religious societies to be evidence.

Penalty on cutting or felling trees.