

ceedings, advertisements, and charges of keeping the said creature, with the damages so ascertained; but if the said owner or owners shall not appear, and demand the same, within the time limited last aforesaid, then the said person or persons so making such distress shall, upon demand made, pay all such overplus money to the Overseers of the poor of the township where he, she or they shall reside, for the use of the poor thereof, under the penalty of double the sum detained in his, her or their hands, contrary to the direction of this act. 1763.

IV. *And be it further enacted*, That if any such person or persons so distraining shall neglect to give such notice, as herein before is directed, or shall neglect to set up and publish such advertisements in the most public place of his, her or their township, he, she or they shall forfeit and lose all right or title, or pretence of right, to a recovery of any sum or sums of money for such trespass, or any recompence for the same; but shall deliver up the said creature so distrained to the owner or owners thereof, without any recompence, fee or reward whatsoever; and that one half of all the fines imposed by virtue of this act, shall be to the use of the owner or owners of such creature, and the other half thereof to the Overseers of the poor of the said township, for the use of the poor thereof, to be recovered by them, or either of them, in a summary way, as debts not exceeding five pounds are by law directed to be recovered.

Forfeiture on persons neglecting to give notice of creatures distrained &c.

V. *And be it further enacted*, That if any person or persons shall, knowingly and wittingly, keep and retain any horse, mare, colt, cattle or sheep, within his, her or their inclosures, for the space of forty-eight hours, without giving the notice, and publishing the advertisements aforesaid, every such person or persons shall forfeit and pay the sum of five pounds for every such offence, to be recovered and applied in manner aforesaid.

Penalty on keeping horses, &c. forty-eight hours without advertising them.

Passed 4th March, 1763.—Recorded A. vol. IV. page 407. (i)

(i) See the Notes to chap. 56, ante. pa. 14, and to chap. 158, ante. pa. 71.

CHAPTER CCCXC VIII.

An ACT for erecting a house of correction in the county of Lancaster.

WHEREAS it hath been represented to this House, by petition from a considerable number of the inhabitants of the borough and county of Lancaster, that they now, and for a long time, have suffered most grievously, as well by unruly disobedient servants, as by idle strolling vagrants from divers parts, who have taken shelter in that county and borough; that drunkenness, profane swearing, breach of the Sabbath, tumults, and other vices, so much prevail, that it is not in the power of the magistrates to suppress them, and preserve peace and good order, having no house of correction for the punishment of such offenders: And whereas the said county and borough of Lancaster have been erected and established since the

1763.

Commissi-
sioners and
Assessors to
meet, and
order the
building of
a house of
correction;

passing an act of General Assembly of this province, for erecting houses of correction and work-houses in the respective counties, passed in the fourth year of the reign of King George the first, by means whereof doubts have arisen, concerning the power of the said county to erect houses of correction or work-houses within the said county; For remedy whereof, *Be it enacted*, That it shall and may be lawful for the Commissioners and Assessors of the county of Lancaster, or a majority of them, to meet together, as soon as conveniently may be after the passing of this act, and as often thereafter as need be, and make orders for building, erecting, or causing to be built and erected, or provided, a house of correction in the borough of Lancaster, with convenient yards thereunto adjoining; for doing and performing whereof, all such orders as the Commissioners and Assessors in the said county, or the major part of them, shall from time to time take or set down for erecting the same, shall be of full force, and be duly performed and put in execution.

which shall
be assured to
persons ap-
pointed by
Justices of
Quarter Ses-
sions.

II. *And be it further enacted*, That when the said house of correction shall be so erected, and fully finished, the same shall be assured unto such persons as the Justices of the Peace, or the major part of them, in their Quarter Sessions of the peace of the said county of Lancaster, shall think fit to order and direct; in trust, nevertheless, to and for the public use of the said county, to be and remain as a house of correction for the said county, to be employed for the correcting, and keeping at hard labour, all rogues, vagabonds, sturdy beggars, and idle and disorderly persons, who, by the laws and usage of Great Britain, or by the laws of this province, are to be kept, corrected, or set to work, in such houses of correction.

Manner of
supporting
said house.

III. *And be it further enacted*, That when the house of correction shall be erected and finished in the county of Lancaster, as is herein before directed and appointed, it shall and may be lawful for the Justices of the Peace of the said county, in their Quarter Sessions of the peace, to certify their want of money for supporting the said house of correction, and what sum and sums of money they shall think necessary for the same, to the Commissioners and Assessors of the said county; the said Commissioners and Assessors are hereby required and enjoined, from time to time, to set down and ascertain such sum and sums of money, as they shall judge competent for the purposes aforesaid, and to cause the same to be raised as county rates are usually raised and levied, so that they do not exceed the value of twenty-five pounds yearly.

Keeper, and
other offi-
cers, to be
appointed.

IV. *And be it further enacted*, That it shall and may be lawful to and for the Justices of the Peace of the said county, or the major part of them, in their court of General Quarter Sessions of the peace, or at such other times as shall be necessary, to nominate and appoint some discreet and sober person to be the keeper and manager of the said house of correction, and all other such officers and persons as shall be needful and necessary to be employed in and about the same, and him or them, or any of them, to remove, as they shall see cause; and upon such a removal, or in case of the death of the said keeper, or other officer so to be appointed, to nominate and appoint others in their place and stead, and to settle such reasonable allowances for their services, and for the support of the per-

sons committed to the said house of correction, as the said Justices and Commissioners shall think fit. 1763.

V. *And be it further enacted*, That before any sum or sums of money, or other stock hereafter to be raised, for the purposes aforesaid, shall be paid or delivered into the hands of the keeper or manager of the said house of correction, such keeper or manager shall give good and sufficient security to the Commissioners and Assessors of the said county, to account for and pay to the Commissioners and Assessors, for the time being, the value of the principal sum of money, or other stock to him delivered or paid, for the purposes aforesaid, in case of his death, or removal from being keeper of the said house of correction.

Passed 4th March, 1763.—Recorded A. vol. IV. page 398. (k)

(k) See chap. 306, ante. pa. 176, and the notes thereto subjoined.