

(That is to say) every single-decked ship or vessel shall be measured by the length of the keel, taken within board, so much as she treads upon the ground, and the breadth to be taken within board by the midship beam, from plank to plank, and the depth of the hold from the plank below the keelson to the under part of the deck plank; and for two-decked ships which carry goods between decks, the depth of her hold to be taken from the plank below the keelson to the under part of the upper deck plank; and the length and breadth as before; then multiply the length by the breadth and the product thereof by the depth, and divide the whole by ninety-four, and the quotient will give the true contents of the tonnage—according to which method and rule all ships and vessels shall be measured, and the several duties of tonnage thereby be computed and collected accordingly, any custom, practice or usage to the contrary notwithstanding.

Passed February 22, 1717-18. Apparently never submitted to the consideration of the Crown. See Appendix IV, Section II, and the Acts of Assembly passed May 31, 1718, Chapter 232; February 24, 1720-21, Chapter 240; April 29, 1758, Chapter 432.

CHAPTER CCXXIX.

AN ACT FOR ERECTING HOUSES OF CORRECTION AND WORKHOUSES, IN THE RESPECTIVE COUNTIES OF THIS PROVINCE.

Whereas the proprietary and first adventurers in their principal model of this government proposed that for crimes inferior to murder, the punishments might be by way of restitution, fine, imprisonment, and such like; and where the offender proved not of ability to make such satisfaction then he should be kept in prison or house of correction at hard labor; but no effectual care hath been yet taken to erect such houses, by reason whereof many evildoers escape unpunished, and servants, who, for their neglect and abuses, should be kept at work in such houses, are become incorrigible; therefore may it please the governor that it may be enacted:-

[Section I.] And be it enacted by William Keith, Esquire, by the royal approbation Deputy-Lieutenant and Governor, under William Penn, Esquire, Proprietary and Governor-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the first day of May, which will be in the year of our Lord one thousand seven hundred and eighteen, from time to time, it shall and may be lawful to and for the justices of the peace of the city of Philadelphia, in conjunction with the justices of the peace of the county of Philadelphia, and for the justices of the peace of the other respective counties of this province, assembled at any quarter-sessions of the peace within the same respective counties, or the major part of them, to set down and make orders for building, erecting, or causing to be built and erected or provided, one or more houses of correction and workhouses, with convenient backsides or yards thereunto adjoining, in some convenient places within their several counties or towns corporate: for the doing and performing whereof, and for the providing stocks of money, goods, and all other things necessary for the same, all such orders as the said justices, or the major part of them, shall from time to time take, reform or set down in any of the said quarter-sessions for erecting or providing such houses, raising the said stocks, and governing of the same, as also for the correcting and punishment of offenders to be committed there, shall be of full force, and be duly performed and put in execution; which said houses shall be purchased, conveyed or assured unto such person or persons as by the justices of the peace, or the major part of them, in their quarter-sessions of the peace, to be holden within every county of this province, upon trust, to the intent the same shall be used and employed for the keeping, correcting and setting to work of all rogues, vagabonds, or sturdy beggars, and other 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 and backsides.

[Section II.] And be it further enacted by the authority aforesaid, That within the space of three years, after the twen-

ty-fifth day of March, in the year of our Lord one thousand seven hundred and eighteen, a house of correction or workhouse shall be built in the city of Philadelphia at the charge of said city and county of Philadelphia; and a house of correction or workhouse shall be built in Chester, at the charge of the county of Chester; and another house of correction or workhouse shall be built in Bristol, at the charge of the county of Bucks.

[Section III.] And be it further enacted by the authority aforesaid, That by the major part of the justices of the peace for the said city and county of Philadelphia, and for the counties of Chester and Bucks, respectively, in their respective quarter-sessions assembled, there shall be elected and chosen, out of the most able and honest inhabitants and freeholders of the said city and county of Philadelphia, and of the said counties of Chester and Bucks, respectively, a president, a treasurer and assistants for the houses of correction, workhouse or workhouses in the said city and respective counties; and that upon the vacancy, by death or otherwise, of any of the said presidents, treasurers or assistants in the said respective counties, the power to erect (sic) [elect] others in their room shall be in the major part of the respective justices of the peace, who, in their general quarter-sessions from time to time, shall accordingly supply vacant places.

And the said president, treasurer and assistants for the time being, shall be accountable for all their disbursements and other proceedings, to the said justices or the major part of them, who, at every quarter sessions, are hereby directed and required to examine and inspect the accounts and all other proceedings of the said president, treasurer and assistants; and in case any notorious neglect, embezzlement or breach of trust, shall at any time appear to the justices against all or any one of the said officers, by them appointed as aforesaid, then the said justices are hereby empowered to dismiss and displace all such offenders and to elect others in their room.

And that nothing may be wanting to render effectual the good intent of this act in all its parts, may it please the governor to condescend that it may be further enacted:

[Section IV.] And be it enacted by the authority aforesaid,

That the said president, treasurer and assistants, for the time being, respectively, shall forever hereafter, in name and fact, be bodies politic and corporate in law to all intents and purposes, and shall have a perpetual succession, and may sue or plead, or be sued and impleaded, by the name of the president, treasurer and assistants for the poor of the said respective counties, in all courts and places of judicature within this province, and by that name every of the said corporations shall and may purchase or receive any lands, tenements or hereditaments, not exceeding the yearly value of three hundred pounds per annum, of the gift, alienation or devise of any person or persons, who are hereby enabled to transfer and grant the same, and any goods and chattels whatsoever, into or for the use and benefit of the corporations aforesaid.

[Section V.] And be it further enacted by the authority aforesaid, That the said president, treasurer and assistants, or one of them, at least, in each county aforesaid, respectively, shall give punctual and constant attendance at the workhouses and houses of correction to which they respectively belong, there to receive and execute the orders given by the commitments which shall happen to be made from time to time by any justice of the peace, or other magistrate, having legal power to commit and send to the workhouses all vagabonds, unruly servants, and other idle or disorderly persons; and the said officers, in each county respectively, shall make return to every court of quarter-sessions, duly, of their proceedings in the premises.

[Section VI.] And be it further enacted by the authority aforesaid, That when the president, treasurer and assistants of any of the said corporations shall certify, under their hands and seals, their [want] either of a present stock for the beginning of the work, or for supply thereof for the future, and what sum or sums of money they shall think fit for the same, to the justices of the peace of the said respective counties, assembled in their quarter-sessions, the said justices are hereby required from time to time to set down and ascertain such sum and sums of money as they shall deem competent for the purposes aforesaid, and cause the same to be raised as county rates are usually levied, so that they do not exceed, for the city and

county of Philadelphia, the yearly value of four hundred pounds; for the county of Chester, the yearly value of two hundred pounds; and for the county of Bucks, the yearly value of one hundred pounds.

[Section VII.] And be it further enacted by the authority aforesaid, That the president, treasurer and assistants of any of the said corporations, or houses of correction or workhouses, are hereby empowered to choose and entertain all such officers as shall be needful to be employed in and about the premises, and them or any of them to remove as they shall see cause, and upon such removal, or death of any of them, to choose others, and to make them reasonable allowances for their services out of the said stock; and that all sheriffs, constables, and all other officers and ministers of justice, shall be aiding and assisting to the said corporation or corporations, and to all such officers as shall be employed by them in the execution and performance of the said service.

Passed February 22, 1717-18. Apparently never considered by the Crown, but allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix IV, Section II, Hill's letter and Fane's opinion in Appendix V, Section I, and the Acts of Assembly passed January 12, 1705-6, Chapter 151; March 7, 1745-46; Chapter 367; March 4, 1763, Chapter 498; February 21, 1767, Chapter 555; February 26, 1773, Chapter 673; April 5, 1790, Chapter 1516; April 2, 1803, P. L. 621; March 23, 1826, P. L. 133; March 2, 1827, P. L. 76; April 15, 1834, P. L. 537; April 10, 1835, P. L. 133; April 14, 1835, P. L. 232; March 22, 1836, P. L. 173; June 13, 1836, P. L. 539; April 11, 1850, P. L. 448; April 25, 1850, P. L. 569; January 26, 1854, P. L. 12; April 28, 1854, P. L. 506; January 31, 1855, P. L. 6; April 21, 1855, P. L. 264; April 16, 1857, P. L. 219; May 12, 1857, P. L. 454; April 22, 1858, P. L. 452; April 8, 1862, P. L. 318; April 11, 1862, P. L. 425; March 21, 1866, P. L. 259; January 10, 1867, P. L. 1371; April 14, 1868, P. L. 1092; June 2, 1871, P. L. 1301; May 23, 1874, P. L. 230; May 8, 1876, P. L. 154; June 12, 1878, P. L. 181; April 30, 1879, P. L. 33; June 4, 1879, P. L. 84; June 11, 1879, P. L. 140; June 13, 1883, P. L. 100; June 1, 1885, P. L. 37; May 19, 1887, P. L. 132; May 25, 1887, P. L. 265; May 13, 1889, P. L. 209; May 23, 1889, P. L. 277; June 16, 1891, P. L. 303; June 26, 1895, P. L. 377.