

prizes and rewards] as in the said recited act is comprised, limited, mentioned and appointed, and not otherwise.

Passed May 31, 1718. 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, and Hill's letter and Fane's opinion in Appendix V, Section I, and the Acts of Assembly passed, June 7, 1712, Chapter 191; February 8, 1766, Chapter 533, and the notes thereto.

CHAPTER CCXXXV.

AN ACT EMPOWERING THE JUSTICES TO SETTLE THE PRICES OF LIQUORS IN PUBLIC HOUSES, AND PROVENDER FOR HORSES IN PUBLIC STABLES.

Whereas it has been the practice of tavern-keepers, alehouse-keepers and innholders to exact excessive rates for their wine, beer, cider and other liquors, and also provender for horses, without regard to the plenty and cheapness thereof:

[Section I.] Be it therefore enacted by William Keith, Esquire, by and with the King's 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 the justices of the peace of the respective counties of this province, and also the mayor, recorder and aldermen of the city of Philadelphia, shall have full power, four times in the year, to wit, at the general sessions of the peace, held for the said counties and city respectively, to set such reasonable prices on all liquors retailed in public houses, and provender for horses in public stables, from time to time, as they shall see fit, which prices shall be proclaimed by the crier at the conclusion of their said respective sessions, and fixed upon the court house doors for public view.

And if any public alehouse-keeper, taverner, innholder or public stable-keeper exceed the prices so set by the justices, and be convict thereof, by oath or affirmation of one or more wit-

nesses, before one or more justices of the peace of the respective counties of this province or city of Philadelphia, every such offender shall, for the first offense, be fined in any sum not exceeding twenty shillings, and for the second offense forty shillings, and give security for their good behavior; and for the third offense, upon conviction in the quarter sessions of the respective counties or city of Philadelphia, five pounds, and not to be recommended to keep a public house or tavern for the space of three years after such conviction.

Passed May 31, 1718. 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, and Hill's letter and Fane's opinion in Appendix V, Section I.

CHAPTER COXXXVI.

AN ACT FOR THE ADVANCEMENT OF JUSTICE, AND MORE CERTAIN ADMINISTRATION THEREOF.

Whereas King Charles the Second, by his royal charter to William Penn, Esquire, for erecting this country into a province, did declare it to be his will and pleasure that the laws for regulating and governing of property within the said province, as well for the descent and enjoyment of lands as for the enjoyment and succession of goods and chattels, and likewise as to felonies, should be and continue the same as they should be for the time being by the general course of the law in the kingdom of England, until the said laws shall be altered by the said William Penn, his heirs or assigns, and by the freemen of the said province, their delegates or deputies, or the greater part of them.

And whereas it is a settled point that as the common law is the birthright of English subjects, so it ought to be their rule in British dominions. But acts of parliament have been adjudged not to extend to these plantations, unless they are particularly named in such acts.

Now forasmuch as some persons have been encouraged to