

October 13, 1857, P. L. (1858) 611; March 5, 1858, P. L. 71; March 10, 1858, P. L. 90; March 11, 1858, P. L. 96; (the two acts of) March 15, 1858, P. L. 109, 111; April 5, 1858, P. L. 206; April 15, 1858, P. L. 270; (the two acts of) April 20, 1858, P. L. 354, 365; (the four acts of) April 21, 1858, P. L. 371, 393, 419, 421; April 22, 1858, P. L. 468; February 24, 1859, P. L. 74; March 1, 1859, P. L. 89; (the two acts of) March 16, 1859, P. L. 151, 156; April 4, 1859, P. L. 358; April 6, 1859, P. L. 382; April 7, 1859, P. L. 400; April 9, 1859, P. L. 435; (the two acts of) April 12, 1859, P. L. 528, 537; (the two acts of) April 13, 1859, P. L. 606, 615; April 14, 1859, P. L. 640; February 22, 1860, P. L. 68; (the two acts of) March 27, 1860, P. L. 284, 287; (the two acts of) March 30, 1860, P. L. 362, 378; (the two acts of) March 31, 1860, P. L. 382, 459; repealed except sections III and IV, by act of March 31, 1860, P. L. 427; as to those sections see acts passed April 22, 1863, P. L. 531; March 12, 1866, P. L. 85; January 7, 1867, P. L. 1369; May 21, 1869, P. L. 1267; February 12, 1870, P. L. 32; February 24, 1870, P. L. 34; and the Constitution of 1873, Articles I, III and V; and the acts passed June 11, 1879, P. L. 148; May 19, 1887, P. L. 128; May 23, 1887, P. L. 158; June 3, 1893, P. L. 286; April 3, 1895, P. L. 32.

CHAPTER CCXXXVII.

AN ACT FOR SUPPLYING SOME DEFECTS IN THE LAW FOR THE RELIEF OF THE POOR.

Whereas by a law of this province entitled "An act for relief of the poor,"¹ it is provided, that the overseers of the poor for the respective townships, shall make rates or assessments for the relief of the poor, indigent and impotent persons inhabiting within the said townships. But it is not ascertained what settlement shall render one an inhabitant, relievable by the said act:

[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, &c., 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 where any unmarried person, not having child or children, is or shall be lawfully hired as a servant into any city, township or district in this province, and did or shall continue and abide in the same [service] during the space of

¹ Passed January 12, 1705, Chapter 154.

one whole year, such service shall be adjudged and deemed a good settlement therein.

And if any person shall be bound an apprentice by indenture, and inhabit in any city or township in this province, such binding and inhabiting shall be adjudged a good settlement.

And if any person, who hereafter shall come to inhabit in any of the said townships or districts, shall, for himself and on his own account, execute any public annual office or charge of the said township or district during the whole year, and shall be charged with and pay his share towards the county taxes or levies for the poor of the said township or district, then he shall be adjudged and deemed to have a legal settlement in the same.

And that no other person or persons whatsoever, who shall come into any county, city, township or district, within this province, shall be adjudged to have procured a legal settlement in such county, city, township or district, unless he or they shall really and bona fide take a lease of a tenement or plantation of the yearly value of five pounds, or unless he or they give sufficient security for the discharge of the said county, city, township or district, to be allowed by any two justices of the peace or magistrates of such county or city.

Provided always, That where any person or persons are come into any county, city, township or district, in this province, out of any other county, city, township or district, or out of any other place or province, and being likely to become chargeable to the place where they are so come to inhabit, have been or shall be required by the overseers of the poor to return from whence they came, or give security for the discharge of the county, township or place where they are come to inhabit, he, she or they refusing and neglecting so to do shall not be deemed to have acquired a legal settlement by their continuance in the place or places where they are so come to inhabit, but that upon complaint made by the overseers of the poor of the proper township or district, to any one or more of the justices of the peace or magistrates of the proper county or city respectively, where any of the said persons refusing or neglecting to return or give security, or coming to settle in any tenement or plantation under the said yearly value of five pounds,

or not otherwise obtaining a lawful settlement, according to the true meaning of this act, shall reside or be found at the time of such complaint, it shall and may be lawful to and for any two justices of the peace of the county or city where any of the said persons who are likely to be chargeable to the township or place where they reside or shall come to inhabit, by their warrant, to remove and convey such person or persons to the county, city, township or place, where, he, she or they [were] last legally settled, either as native, householder, sojourner, apprentice or servant, unless he or they give sufficient security for the discharge of the said county, city or township, to be allowed by the said justices.

Provided always, That if any person or persons shall find him, her or themselves aggrieved by any order or determination which any of the said justices of the peace or magistrates shall make in any of the cases abovesaid, such person or persons shall have liberty to appeal to the next general quarter-sessions [of the peace] of the county or city where such determination shall be made, who, upon hearing of such appeal, shall have full power finally to determine the same, and to award costs as the justices of the peace at their quarter-sessions in Great Britain, by a statute made in the eighth and ninth years of King William the Third, are empowered and required to do in such cases.

And if any person be removed by virtue of this act from one county, city, township or place to another, by warrant, under the hands and seals of two justices of the peace or magistrates as aforesaid, that the overseers of the poor of the township or district to which the said persons shall be so removed, are hereby required to receive the said persons. And if any of the said overseers shall refuse or neglect so to do, he or they so offending, upon proof thereof by one or more credible witnesses upon oath or affirmation, before any one of the justices of the supreme court of this province, shall forfeit for each offense the sum of five pounds, to the use of the poor of the township or district from which such person was removed, to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justices of the said su-

preme court, which they are hereby empowered and required to make, directed to the constable of the township where such offender or offenders dwell, returning the overplus (if any be) to the owner or owners. And for want of sufficient distress, then the offender to be committed to the gaol of the county where he dwells, there to remain without bail or mainprise for the space of forty days.

Provided always, That all such persons, who think themselves aggrieved with any such judgment of the said two justices, may appeal to the next general quarter-sessions of the peace, to be held for the county or city from which the said person was so removed. And that the appeal against any order for the removal of any poor person out of any township or place shall be had, prosecuted and determined, at the general quarter-sessions of the peace for the county, city or place, from whence such poor persons shall be removed, doth lie, and not elsewhere.

And to the end that the money raised only for the relief of such as are impotent and poor may not be misapplied and consumed by the idle, sturdy and disorderly beggars:

[Section II.] Be it further enacted by the authority aforesaid, That every such person, as from the twenty-fourth day of June, in the present year one thousand seven hundred and eighteen, shall be upon the collection, and receive relief of any county, city or place, and the wife and children of any such person cohabiting in the same house (such child only excepted as shall be by the overseers of the poor permitted to live at home, in order to have the care of and attend any impotent and helpless parent) shall, upon the shoulder of the right sleeve of the upper garment of every such person, in an open and visible manner, wear such badge or mark as is hereinafter mentioned and expressed: (That is to say) a large Roman P, together with the first letter of the name of the county, city or place whereof such poor person is an inhabitant, cut either in red or blue cloth, as by the overseers of the poor it shall be directed and appointed.

And if any such poor person shall at any time neglect or refuse to wear such badge or mark as aforesaid, and in manner

aforesaid, it shall and may be lawful for any justice of the peace of the county, city or place where any such offense shall be committed, upon complaint to him for that purpose made, to punish every such offender for every such offense, either by ordering of his or her relief or usual allowance on the collection to be abridged, suspended or withdrawn; or otherwise, by committing such offender to the House of Correction, there to be whipped, and kept at hard labor for any number of days, not exceeding twenty-one, as to the said justice should seem meet.

And if any such overseer of the poor shall relieve any such poor person, not having or wearing such badge or mark as aforesaid, being thereof convicted, upon the oath or affirmation of one or more credible witnesses, before any justice of the peace of the county or city where such offense shall be committed, shall forfeit for every such offense the sum of twenty shillings, to be levied by distress and sale of the goods of every such offender, by warrant under the hand and seal of any such justice, one moiety thereof to the informer, and the other to the poor of the township or place where the offense shall be committed.

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 March 29, 1735, Chapter 336; August 19, 1749, Chapter 379. Repealed by Act of March 9, 1771, Chapter 635.

CHAPTER CCXXXVIII.

AN ACT FOR THE VESTING THE HOUSE AND LOT OF GROUND LYING IN PHILADELPHIA, LATE THE ESTATE AND INHERITANCE OF WILLIAM CLARKE, OF LEWES, IN THE COUNTY OF SUSSEX, DECEASED, IN TRUSTEES, TO BE SOLD FOR THE PAYMENT OF HIS DEBTS. &c.

Whereas it hath been represented to this assembly that William Clarke, late of Sussex county on Delaware, gentleman, in his lifetime, to wit, in the year one thousand seven hundred and four, was indebted to sundry persons in several great sums of money, and at the same time was an accomptant to the Crown