

22, 1722, Chapter 255, March 20, 1724-25, Chapter 284; and the Acts of Assembly passed September 27, 1759, Chapter 450; September 7, 1789, Chapter 1427; (the Constitution of 1790, Article V, Sections IV, V and VII;) April 13, 1791, Chapter 1575; March 15, 1800, Chapter 2145; February 24, 1806, P. L. 334; January 5, 1811, P. L. 7; March 29, 1824, P. L. 194; March 29, 1832, P. L. 190; April 14, 1834, P. L. 333; April 11, 1835, P. L. 196; (the Constitution of 1838, Article V, Sections IV, V and VII), March 8, 1847, P. L. 260; April 22, 1850, P. L. 543; (the Constitution of 1873, Article II, Sections I, III, V and VII;) April 9, 1874, P. L. 54; March 18, 1875, P. L. 28; April 24, 1879, P. L. 32; June 10, 1881, P. L. 113; August 7, 1883, P. L. (1885) 323; June 12, 1895, P. L. 190.

As to Sections VII and VIII, see the Acts of Assembly passed February 28, 1780, Chapter 878; April 15, 1834, P. L. 537; April 16, 1845, P. L. 483; June 1, 1883, P. L. 58; April 19, 1895, P. L. 38.

As to Sections X and XII, see notes to the Acts of Assembly passed May 26, 1744, Chapter 360; June 24, 1746, Chapter 370; and the Act of Assembly passed September 21, 1756, Chapter 412.

CHAPTER CCCLXXXI.

AN ACT FOR PROHIBITING THE IMPORTATION OF GERMANS OR OTHER PASSENGERS IN TOO GREAT NUMBERS IN ANY ONE VESSEL.

Whereas it hath been too frequently practiced by masters and owners of vessels trading within this province to import so great a number of Germans or other passengers in one vessel that through want of necessary room and accommodations they have often contracted mortal and contagious distempers, and thereby have occasioned not only the death of great numbers of such passengers in their passage, but also by these means have so infected those who survived as on their arrival into this province they have spread the contagion and been the cause of the death of many of the inhabitants:

To the end, therefore, that the like evil practices may be prevented and inconveniencies thence arising avoided as much as may be for the future:

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and of the counties of

Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act no master or commander of any ship or other vessel whatsoever bound to the port of Philadelphia or elsewhere within this province shall import into the river Delaware or into any port within the province of Pennsylvania any greater number of passengers in any one ship or other vessel than such only as shall be well provided with good and wholesome meat, drink and other necessaries for passengers and others during the whole voyage; and shall have room therein to contain for single freight or passengers of the age of fourteen years or upwards at least six feet in length and one foot six inches in breadth, and if under the age aforesaid, to contain the same length and breadth for every two such passengers. And if any master or commander of any ship or vessel against the tenor of this act shall import into this province any one or a greater number of passengers not accommodated or provided during his voyage with good and wholesome meat, drink, room and other necessaries as aforesaid, such master or commander shall forfeit and pay for every such passenger imported into this province the sum of ten pounds, to be recovered by action of debt with full costs of suit in any court of record within this province, the one-half of the said forfeiture to any one who will sue for the same to effect, and the other half to the trustees of Province Island, to be applied towards the payment of the expenses which shall arise by the placing of sick passengers or others there; provided such action shall be commenced within the space of one month next after any such offense shall be committed, or the delinquent may be indicted for the same in the next quarter-sessions of the peace of the county where the offense shall be committed, and on due conviction be fined at the discretion of the court, in any sum not exceeding ten pounds for each passenger exceeding the number by this act allowed to be imported as aforesaid.

And to the end this act and the provisions herein made may be the more punctually observed:

[Section II.] Be it further enacted by the authority aforesaid, That the officer appointed for collecting of the duties to

arise by the act, entitled "An act for imposing duties on persons convicted of heinous crimes," &c.,¹ or his deputy, in going on board any ship or other vessel importing of passengers, either by his or their view or otherwise, shall and is hereby required to inform himself of the condition and circumstances of the passengers on board, and whether they have been provided for and accommodated with the provisions, room and other necessaries herein directed; and where at any time a deficiency shall appear to him or any of them, he or they shall forthwith give notice of the same to the mayor or recorder or any one of the aldermen of the city of Philadelphia or to some one or more of the justices of the peace of the county where the offense is committed, to the end the person or persons delinquent may be sent for and bound over to the next general quarter-sessions of the peace, then and there to answer the premises as is herein directed and enacted.

[Section III.] And be it further enacted by the authority aforesaid, That every master or commander of any ship or other vessel importing any passenger or passengers to be landed within this province who in their passage hither or soon after may happen to die, leaving goods, chattels, money or other effects on board or in the hands or custody of any such master or commander, every such master or commander within the space of twenty days next after his arrival or after the decease of every such passenger shall exhibit to the register-general or to some one of his deputies of the county where such effects shall lay a true and perfect inventory of all such goods, chattels, money and other effects, to the end that after payment of all just demands which shall be due to the said master, commander or to his or their owner or owners, the remainder of the said goods or effects may be committed to the custody of some proper person or persons for the benefit of the wife or children, next of kin or creditors of the deceased, as the case may require and the law in such case shall direct.

[Section IV.] And be it further enacted by the authority aforesaid, That if any such master or commander of any such ship or other vessel shall neglect or refuse to exhibit a true

¹ See Acts of February 14, 1729-30, Chapter 314, and February 3, 1742-43, Chapter 354.

and perfect inventory of the goods and effects of any such passenger or passengers so dying as aforesaid, every such master or commander shall forfeit and pay the sum of one hundred pounds, to be recovered and applied as aforesaid.

Passed January 27, 1749-50. Confirmed by the King in Council, May 13, 1751. See Appendix XVIII, Section I, and the Acts of Assembly passed May 18, 1765, Chapter 527; January 22, 1774, Chapter 691, (which repealed Chapter 381 in part;) April 22, 1794, Chapter 1759, (which repealed it *in toto*.)

CHAPTER CCCLXXXII.

AN ACT FOR AMENDING OF THE ACT, ENTITLED "AN ACT TO ENCOURAGE THE KILLING OF SQUIRRELS WITHIN THIS PROVINCE."¹

Whereas by an act of assembly of this province passed in the twenty-second year of the reign of King George the Second, entitled "An act to encourage the killing of squirrels," it is amongst other things enacted, "That for every squirrel (ground squirrels and flying squirrels excepted) killed within the inhabited part of any of the counties within this province there shall be paid by the treasurers of the said counties respectively unto the person who shall kill the same three pence," in such manner as in and by the said act is directed.

And whereas it is now thought that a less reward will be a sufficient encouragement for the killing of such squirrels and that therefore it is necessary to lessen the premium given by the said-recited act and to lighten the heavy tax thereby occasioned:

[Section I.] Be it therefore enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act

¹ Passed February 4, 1748-49, Chapter 376.