

CHAPTER CCCCXXI.

AN ACT FOR REGULATING THE HIRE OF CARRIAGES TO BE EMPLOYED
IN HIS MAJESTY'S SERVICE WITHIN THE INHABITED PARTS OF THIS
PROVINCE.

To prevent exorbitant demands for the hire of horses and wagons to be employed in His Majesty's service within the inhabited parts of this province and for the better supplying the same:

[Section I.] Be it enacted by the Honorable William Denny, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of said Province in General Assembly met, and by the authority of the same, That for the better and more regular provision of carriages and horses for His Majesty's forces in their marches or for their arms, clothes or accoutrements through the inhabited parts of this province, all justices of the peace within their several counties, being duly required thereunto by an order from the governor or commander-in-chief of this province for the time being or the commanding officer of the King's forces so as aforesaid marching through the inhabited parts of this province, shall as often as such order is brought and shown unto one or more of them by some one or more of the officers of the regiment, detachment, troop or company so ordered to march issue out his or their warrants to the constables of the township from, through, near or to which such regiment, detachment, troop or company shall be ordered to march, requiring them to make provision of carriages, with able men to drive the same, as is mentioned in the said warrant, allowing them sufficient time to do the same, that the neighboring parts may not always bear the burden. And in case sufficient carriages

cannot be provided within any such township [or townships], then the next justice or justices of the peace of the county shall upon such order as aforesaid being brought or shown to one or more of them by any of the officers aforesaid issue his or their warrants to the constables of such next township or county for the purposes aforesaid to make up such deficiency. And the aforesaid officer or officers who by virtue of the aforesaid warrant from the justices of the peace are to demand the carriage or carriages therein-mentioned of the constable to whom the warrant is directed, is and are hereby required at the same time to pay down in hand to the said constable for the use of the person who shall provide such carriages and men the sum of fifteen shillings *per diem* for every wagon or cart with a driver, the said driver maintaining himself and horses, the load of each wagon or cart not to exceed twenty hundredweight. And the said constable is hereby required to give a receipt in writing to the person or persons paying the same. And such constable shall order and appoint such person or persons having carriages within their respective townships, as they shall think proper, to provide and furnish such carriages, horses and men according to the warrant aforesaid, who are hereby required to provide and furnish the same accordingly. And if any military officer or officers for the use of whose troop or company the carriage was provided shall force and constrain any wagon, cart or carriage to travel more than one day's journey, or shall not discharge the same in due time for their return home, or shall suffer any soldier or servant (except such as are sick) or any woman to ride in the wagon or cart or carriage aforesaid, or shall force any constable by threatenings or menacing words to provide saddle horses for themselves or servants, or shall force horses from the owners by themselves, servants or soldiers, every such officer for every such offense shall forfeit the sum of five pounds, proof thereof being made upon oath or affirmation before two of His Majesty's justices of the peace of the same county, who are to certify the same to the paymaster of His Majesty's forces within this province, who is hereby required to pay the aforesaid sum of five pounds according to the order and appointment under the hands and seals of the afore-

said justices of the peace of the same county, who are hereby empowered to deduct the same out of such officers' pay.

[Section II.] And be it further enacted by the authority aforesaid, That if any constable shall willfully neglect or refuse to execute such warrants of the justices of the peace as shall be directed unto them for providing carriages as aforesaid, or if any person or persons appointed by such constable to provide and furnish any carriage and man shall refuse or neglect to provide the same, or any other person or persons whatsoever shall willfully do any act or thing whereby the execution of the said warrants shall be hindered or frustrated, every such constable or other person or persons so offending shall for every such offense forfeit any sum not exceeding forty shillings nor less than twenty shillings to the use of the poor of the township where any such offense shall be committed, and all and every such offense shall and may be inquired of, heard and fully determined by two justices of the peace living in or near the place where such offense shall be committed, who have hereby power to cause the said penalty to be levied by distress and sale of the offender's goods and chattels, rendering the overplus if any to the owner.

[Section III.] And be it further enacted by the authority aforesaid, That every innkeeper keeping an inn or house of entertainment on any public road or roads within this province shall keep sufficient quantities of hay, oats, Indian corn or rye for the accommodation and use of the horses and creatures of such as are employed or engaged in His Majesty's service who may have occasion to pass through the inhabited parts of this province, and shall demand, have and receive according to the following rates and no more: (That is to say) for every hundred weight of good hay three shillings and six pence; for hay for each horse for one night eight pence; for oats per bushel three shillings; for Indian corn per bushel three shillings and six pence; for rye per bushel three shillings and six pence, and so in proportion for a smaller quantity of all or any of them.

And if any such innkeeper shall neglect to provide a sufficient quantity of hay, oats, Indian corn or rye as aforesaid, or shall demand more or greater prices than this act directs, he, she or

they so offending shall forfeit and pay the sum of forty shillings each for every such offense, to be recovered as debts under forty shillings are directed to be recovered, one-half to the prosecutor and the other half to the overseers of the poor for the use of the poor of the city, borough or township where the same shall be recovered.

This act to continue for the space of one year and from thence to the end of the next sitting of assembly and no longer.

Passed March 17, 1757. Referred for consideration by the King in Council, January 27, 1758, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and the Act of Assembly passed April 8, 1758, Chapter 429.

CHAPTER CCCXXII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR GRANTING THE SUM OF SIXTY THOUSAND POUNDS TO THE KING'S USE AND FOR STRIKING FIFTY-FIVE THOUSAND POUNDS THEREOF IN BILLS OF CREDIT, AND TO PROVIDE A FUND FOR SINKING THE SAME,"¹ AND FOR GRANTING TO HIS MAJESTY THE ADDITIONAL SUM OF ONE HUNDRED THOUSAND POUNDS.

Whereas by an act of general assembly of this province, passed in the twenty-ninth year of the present reign, entitled "An act for granting the sum of sixty thousand pounds to the King's use and for striking fifty-five thousand pounds thereof in bills of credit and to provide a fund for sinking the same," it was declared and enacted that fifty-five thousand pounds in bills of credit to be struck by virtue of the said act should be given to the King's use, and that to sink the same there should be levied on all estates real and personal within this province of all and every person and persons (the estates of the Honorable Thomas Penn and Richard Penn, Esquires, proprietaries of the province of Pennsylvania, only excepted, in consideration of their free gift thereafter-mentioned) the sum of six pence for every pound clear value of the said estates yearly for the

¹ Passed November 27, 1755, Chapter 406.