

during the term of three years from the publication thereof and from thence to the end of the next sitting of assembly and no longer.

Passed February 21, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II. Expired.

CHAPTER DLII.

AN ACT FOR AMENDING THE ACT, ENTITLED "AN ACT FOR THE BETTER EMPLOYMENT, RELIEF AND SUPPORT OF THE POOR WITHIN THE CITY OF PHILADELPHIA, THE DISTRICT OF SOUTHWARK, THE TOWNSHIPS OF MOYAMENSING AND PASSYUNK AND THE NORTHERN LIBERTIES."¹

Whereas it has been represented to the assembly by the managers of the contributions for the relief and employment of the poor in the city of Philadelphia that in pursuance of the powers and authorities vested in them by the act, entitled "An act for the better employment, relief and support of the poor, &c.,"¹ they had procured several lots of ground, part thereof by purchase and the rest by the donation of the honorable the proprietaries, and thereon have in part erected such buildings as are immediately necessary to accommodate the several kinds of poor intended to be relieved and provided for by the said act, that in the purchase and buildings aforesaid the sum of three thousand pounds and upwards raised by contribution, the sum of two thousand pounds borrowed by mortgage on the almshouse lot agreeable to the directions of the said act, with a further sum of seven hundred and fifty pounds lent by the mayor and commonalty of the city of Philadelphia have been all expended, and the said managers are now involved in a heavy debt over and above the said sum of money so expended on the building and purchase aforesaid, without the means of discharging the same or of completing and finishing the said build-

¹ Passed February 8, 1766, Chapter 534.

ings unless they are invested with power to sell and dispose of the said almshouse lot of ground with the buildings thereon erected, and that to enable them fully to comply with the good intent and design of the said recited act it will be necessary to invest them by law with power to borrow the further sum of six thousand pounds on the credit of the said last-mentioned lot of ground and buildings, and on such other security as shall be directed by the legislature:

[Section I.] Be it therefore enacted by the Honorable John Penn, 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 the said Province in General Assembly met, and by the authority of the same, That it shall and may be lawful to and for the said managers to borrow from any person and persons, bodies politic or corporate, who shall be willing to lend any sum or sums of money, not exceeding in the whole six thousand pounds, to be applied towards the payment of the debts already contracted, due and owing or hereafter to be contracted by the said managers for the uses and purposes aforesaid, and that every lender shall immediately receive a certificate in writing, under the seal of the said corporation of contributors, to be signed by the said managers, or a majority of them, for the payment of the sum lent, with the interest agreed on, not exceeding six per cent. per annum, which certificate shall be registered in a book to be kept for that purpose, and the interest money thereon accruing shall be paid by the said corporation every year.

[Section II.] And be it further enacted by the authority aforesaid, That all and every lender or lenders, his, her or their executors, administrators or successors, may assign and transfer his, her or their certificate with all his, her or their right or interest therein [by an indorsement thereon] to any other person or persons, and such assignee may in like manner assign again, and so *toties quoties*, and afterwards it shall not be in the power of the person so assigning to make void, release or discharge the said certificate.

And in order to secure to the said lenders the respective sums of money so lent, with the interest thereof:

[Section III.] Be it further enacted by the authority aforesaid, That it shall and may be lawful for the mayor and commonalty of the city of Philadelphia, by and with the advice and consent of the assessors of the said city for the time being, to be signified by their or a majority of their names subscribed as witnesses to the deed, and they are hereby enjoined and required to grant and convey the said almshouse lot, with the buildings thereon erected, to the said corporation of contributors, &c., in fee, and that it shall and may be lawful for the said managers of the said last-mentioned corporation and their successors, or a majority of them, to grant, bargain, sell or dispose of or to let on ground-rent as to them shall seem most advantageous, the said lot with the buildings thereon erected, or any part or parts thereof, to be divided into such and so many lots as they shall think convenient, to any person or persons who shall be willing to purchase the same and to his, her and their heirs and assigns forever for the greatest price or sum or sums of money that can be procured for the same, and afterwards in like manner to sell and dispose of such ground-rents, and upon receipt of the said money to pay and discharge all such sums as have been lent on the credit of the said lot and buildings last mentioned and all such sums as shall be borrowed on certificate by virtue of this act with the said sum of seven hundred and fifty pounds borrowed of the mayor and commonalty of the city of Philadelphia, and to appropriate and apply the remainder if any towards finishing and completing the said house of employment and paying for the ground thereunto belonging; and in case the said sums of money so arising from the said sale, with the contributions aforesaid, shall not be sufficient to answer all the purposes aforesaid, that such deficiency shall be paid and satisfied by a just and proportionable rate or tax to be laid, assessed and levied on all estates, real and personal, within the city of Philadelphia, district of Southwark, the townships of Moyamensing and Passyunk and the Northern Liberties, by the same persons and under the same penalties, to be recovered in the same manner and in the same proportion in the

said city, district and townships respectively as the sums to be raised for the relief of the poor are or shall be at the time laid, assessed and levied, and when so levied to be paid to the treasurer of the said contributors, to be by the said managers applied to the discharge of the said loans, and that the mayor, recorder and any two aldermen of the said city and three justices of the county of Philadelphia, upon such insufficiency appearing to them from the accounts of the said managers, which shall be laid before them for that purpose, shall forthwith certify the same to the overseers of the poor of the said city, district and townships respectively in writing under their hands in order that the said deficiency may be laid, assessed and levied in manner aforesaid.

Saving always to all and every person or persons, bodies politic and corporate, their heirs, successors, executors, administrators and assigns (other than the said mayor and commonalty of the city of Philadelphia and the contributors to the said house of employment) all such estates, rights, claims or demands as they, or any of them, were or would have been entitled unto in case this act had never been made.

And whereas great numbers of rogues, vagabonds and other idle and dissolute persons frequently come into the said city, district and townships and there take up their abode without following any labor, trade or business or having any visible means of subsistence, and are not only dangerous members of society but in the end become burdensome to the public:

[Section IV.] Be it therefore enacted by the authority aforesaid, That it shall and may be lawful for any justice of the peace of the city or county aforesaid to apprehend and upon due examination and proof commit to the said house of employment all rogues, vagabonds and other idle, dissolute and disorderly persons found loitering or residing in the said city, district or township aforesaid who follow no labor, trade, occupation or business and have no visible means of subsistence whereby to acquire an honest livelihood, there to be kept at hard labor for any term not exceeding one month, and the said managers are required to receive such persons and employ them according to the tenor of such commitment.

[Section V.] And be it further enacted by the authority aforesaid, That so much of the said recited act of assembly as is hereby altered and supplied shall be and is hereby declared to be repealed, null and void, and that the residue thereof shall be and is hereby declared to be in full force and virtue to all intents and purposes as if this act had not been made.

Passed February 21, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed February 8, 1766, Chapter 534; and the Act of Assembly passed February 21, 1767, Chapter 555.

CHAPTER DLIII.

AN ACT TO REGULATE THE FISHERY IN THE RIVER SCHUYLKILL.

Whereas it hath become a common practice for the inhabitants of this province living on or near the lower parts of the river Schuylkill to fish with divers seines or nets in the same pool or place in the said river, whereby the shad and other fish are in a great measure prevented from running up the same to the places where they usually spawn and breed, to the great diminution and scarcity of fish in the said river and the persons living on or near the upper parts thereof are thereby also deprived of a reasonable proportion of the said fish:

For remedy whereof:

[Section I.] Be it enacted by the Honorable John Penn, 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 the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act no more than one seine or net shall be cast, drawn or made use of by any person or persons whatsoever in any one pool or fishing place in the said