

the pay or hire of the same as allowed by this act together with costs; if not exceeding ten pounds, in the manner in which small debts is [sic] [are] recoverable; if exceeding ten pounds by an action of trespass.

[Section IV.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That from and after the publication of this act the pay of a wagon and four horses with a driver, called into public service by virtue of this act, shall be four pounds ten shillings per day; [and that the pay of a wagon and two horses and driver shall be three pounds per day], and that the hire of a pack horse with proper furniture shall be ten shillings per day. The horses being by the public found with forage and the drivers with rations.

[Section V.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That if any person shall be sued or prosecuted for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence, and if the plaintiff discontinue, be non-suited or fail the defendant shall recover treble costs.

Passed April 5, 1779. See the note to the Act of Assembly passed January 2, 1778, Chapter 780.

CHAPTER DCCCXLV.

AN ACT FOR THE REGULATION OF THE MARKETS IN THE CITY OF PHILADELPHIA, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas the forestalling and regrating of provisions, in and near the city of Philadelphia, has produced great inconveniences, and if not restrained, is likely to bring great distress upon the inhabitants of said city, and its vicinity:

For remedy whereof:

[Section I.] (Section II, P. L.) Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That from and after the publication of

this act, if any person shall buy, or cause to be bought, any provisions or victuals whatsoever, for the food of man, coming by land or by water towards the market of the said city, or shall make any bargain, contract or promise for the having or buying the same or any part thereof, so coming as aforesaid before the said provisions or victuals shall be in the said market, ready to be sold, or shall make any motion by word, letter, message or otherwise to any person for the enhancing of the price or dearer selling of anything above mentioned, or shall dissuade or labor any person coming to said market, to abstain or forbear to bring provisions or victuals to the said market; every such person so offending shall be deemed a forestaller and proceeded against as such in the court of quarter sessions of the city of Philadelphia, or of the county wherein the offense shall be committed.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any person shall within the market of the said city or elsewhere, within four miles of the county court-house, in the said city, regrate, obtain, or get into his or her hands or possession any provisions or victuals, and do sell the same again within the same market or elsewhere, within the circuit of four miles round the said court-house as aforesaid, every such person shall be deemed and proceeded against as aforesaid as a regrater.

(Section IV, P. L.) Provided always, That nothing herein contained shall extend to any inn-keeper, or other victualler, buying in the said market, to sell the same within his own dwelling to his guests; nor to any butcher, acting in his proper mystery and craft, and not forestalling or regrating nor [to] any huckster or retailer buying provisions or victuals in the said market, and not elsewhere, after ten o'clock in the forenoon, and not earlier, in order that the inhabitants of the said city, needing food for the use of themselves and their families, may be first supplied.

(Section V, P. L.) Provided also, That this act shall not extend to wines, oils, sugars nor other imported victuals, salt and fish only excepted, and that no person within the compass of four miles as aforesaid, who shall buy any oxen, bulls, cows,

heifers, calves, swine, sheep, lambs, goats or kids living, and shall sell the same again, alive or dead, after having fed them for five weeks on his own land, or in his own possession, shall be within the meaning of this act.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if any person shall be guilty of any of the said offenses, he or she shall for the first offense be imprisoned two months, and forfeit the value of the goods, by him or her so forestalled or regrated as aforesaid; for the second offense the said offender shall be imprisoned for half a year and forfeit double the value of the goods by him or her forestalled or regrated as aforesaid, and for the third offense, such offender shall be set in the pillory, forfeit all his goods, and imprisoned at the discretion of the court, and the said forfeiture shall be distributed one-half to the use of the state, and the other half to the use of the person who shall prosecute within two months after the offense shall be committed.

(Section VIII, P. L.) And whereas the practice of buying and selling the necessaries of life and other commodities with hard money or specie, is one of the means of depreciating the continental bills of credit.

[Section IV.] (Section VIII, P. L.) Be it therefore enacted by the authority aforesaid, That from and after the passing of this act no person or persons whatsoever within this commonwealth shall buy or sell, or offer to buy or sell any of the necessaries of life or other commodities with or for hard money; and if any person shall be convicted of buying or selling, or offering to buy and sell, any merchandise, commodities, or any of the necessaries of life, or renting of houses or lands for hard money contrary to this act, he or she so offending shall forfeit and pay for the use of this state fifty pounds, and the value of the things so bought or offered to be bought or sold, or the amount of the rent asked or demanded for such house or lands.

(Section IX, P. L.) And whereas there has [sic] have been great abuses committed in the assize and weight of all [sorts] of bread, made for and exposed to sale in the city of Philadelphia:

[Section V.] (Section X, P. L.) Be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for

any [three] of the justices of the peace, in and for the city of Philadelphia, or any of the counties within this state, and they are hereby empowered and required, as often as there shall be occasion to set, ascertain and appoint the assize and weight of all sorts of bread which shall be made for sale, sold or exposed to sale within the said city and liberties or any county of this state, and the price to be paid for the same, as fully to all intents and purposes, as the mayor or recorder, and any two of the aldermen of the said city ought or could have done by the laws of the province of Pennsylvania in force on the fourteenth day of May, one thousand seven hundred and seventy-six.

Passed April 5, 1779.

As to Sections I-IV, see the note to the Act of Assembly passed January 2, 1778, Chapter 779; and the Acts of Assembly passed October 8, 1779, Chapter 859; June 1, 1780, Chapter 912.

As to Section V, see the notes to the Acts of Assembly passed March 27, 1700, Chapter 51; March 18, 1775, Chapter 709.

The entire act was repealed by the Act of Assembly passed February 26, 1801, Chapter 2207.

CHAPTER DCCCXLVI.

A FURTHER SUPPLEMENT TO AN ACT, ENTITLED "AN ACT FOR REGULATING AND CONTINUING THE NIGHTLY WATCH, ENLIGHTENING THE STREETS, LANES AND ALLEYS OF THE CITY OF PHILADELPHIA AND FOR OTHER PURPOSES THEREIN MENTIONED,"¹ AND TO AN ACT WHICH IS A SUPPLEMENT THERETO, PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SIX.²

(Section I, P. L.) Whereas in and by the aforesaid supplement passed the sixth of April in the year of our Lord one thousand seven hundred and seventy-six, entitled "An act to continue part of an act made in the eleventh year of the reign of His present Majesty King George the Third, entitled 'An act regulating and continuing the nightly watch, enlightening the streets, lanes and alleys of the city of Philadelphia and for other

¹ Passed March 9, 1771, Chapter 636.

² Passed April 6, 1776, Chapter 719.