

CHAPTER MLXXXVIII.

AN ACT TO SECURE THE PERSONS EMPLOYED IN THE BUILDING AND FITTING SHIPS AND VESSELS FOR SEA BY MAKING THE BODY, TACKLE, APPAREL AND FURNITURE OF SUCH SHIPS AND VESSELS LIABLE TO PAY THE SEVERAL TRADESMEN EMPLOYED IN BUILDING AND FITTING THEM FOR THEIR WORK AND MATERIALS.

(Section I, P. L.) Whereas the business of ship building is a very important branch of the commerce of this state, and ought to receive all proper encouragement:

And whereas several tradesmen employed in this business are liable to losses by reason that the persons employing them are frequently masters of ships, strangers and persons having no fixed property in the country, and the ships and vessels by them built, repaired and fitted, are not liable to pay the amount of their bills, whereby their labor and materials have been taken to satisfy other debts to their discouragement in carrying on so useful a mode of increasing the wealth of the state:

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 ships and vessels of all kinds built, repaired and fitted within this state be and they are hereby declared to be liable and chargeable for all debts contracted by the masters or owners thereof for or by reason of any work done, or materials found or provided by any carpenter, blacksmith, mastmaker, boatbuilder, blockmaker, ropemaker, sailmaker, rigger, joiner, carver, plumber, painter or shipchandler, for upon and concerning the building, repairing, fitting, furnishing and equipping such ship or vessel in preference to any, and before any other debts due and owing from the owners thereof.

And in order to provide a speedy and adequate remedy for

such tradesmen, as aforesaid, to recover debts contracted by any person or persons for the use of such ship or vessel:

[Section II.] (Section III, P. L.) Be it enacted by the authority aforesaid, That it shall and may be lawful for all and every of the said tradesmen to file a libel in the court of admiralty of this state, against such ship or vessel, her tackle, furniture and apparel, whereupon process shall issue and such proceeding shall be had towards the recovery of such debts as are usually had in the courts of admiralty for the recovery of mariners' wages, and other debts actually contracted upon the high seas, and within the jurisdiction of the court of admiralty, notwithstanding such work was done, and such materials and articles were found and provided at land without the jurisdiction of the admiralty.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That all or any of the said tradesmen, to whom any ship or vessel, is or shall be indebted for work done, or materials or other articles furnished and provided, to join in one libel for the recovery of all their debts in the same manner that mariners are permitted by the usage of the admiralty, to join together in one suit and if more than one suit shall be brought against any ship or vessel by more than one such tradesman as aforesaid, the judge of the admiralty shall cause such actions to be consolidated into one, and give one definitive sentence or decree comprehending all such debts, as shall be demanded by all or any of the tradesmen aforesaid, and duly supported either by libel as aforesaid or by petition to the court while one or more of such libels shall be depending.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if upon any such libel or petition as aforesaid, the master or owner of such ship or vessel or his or their agents shall appear in the said court and enter into stipulation with sufficient sureties to answer all the demands aforesaid, which shall be then filed against such ship or vessel, the said ship or vessel shall be discharged from the arrest and shall be permitted to proceed on her voyage.

[Section V.] (Section VI, P. L.) Provided always nevertheless, That no ship or vessel shall continue to be liable and chargeable

for such debts to the tradesmen aforesaid longer than the time which shall intervene between the contracting of such debts, and the time of her proceeding to sea next after the work shall be done or the materials and articles furnished and provided.

Passed March 27, 1784. Recorded L. B. No. 2, p. 289, etc. See the Act of Assembly passed February 9, 1793, Chapter 1652.

CHAPTER MLXXXIX.

AN ACT TO REGULATE FENCES AND TO APPOINT APPRAISERS IN EACH TOWNSHIP IN THE COUNTIES OF BEDFORD, NORTHUMBERLAND, WESTMORELAND, WASHINGTON AND FAYETTE, AND TO ENCOURAGE THE RAISING OF SWINE.

(Section I, P. L.) Whereas by an act of general assembly of the late province of Pennsylvania, entitled "An act for erecting pounds in each township,"¹ passed the tenth day of May, one thousand seven hundred and twenty-nine, and an act, entitled "An act concerning cattle, horses and sheep,"² passed the fourth day of March, one thousand seven hundred and sixty-three, the heights of a lawful fence therein mentioned are found to be insufficient; and whereas a supplement to an act, entitled "An act to prevent swine running at large,"³ passed the tenth day of May, one thousand seven hundred and twenty-nine is found to be injurious to great part of the frontier counties of this state:

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 all fences erected in this state within the limits hereinafter mentioned shall be made and erected in the following manner: That is to say, all worm fences

¹ Passed May 10, 1729, Chapter 301.

² Passed March 4, 1763, Chapter 490.

³ Passed May 10, 1729, Chapter 303.