

by the authority of the same, That upon due proof being made before the orphans' court in and for the county of Beaver, that John Sutton late of Beaver county, in his lifetime, contracted to sell to the said William Wilson, one hundred acres of land, and to Joshua Beer, twenty-four acres and one half acre of land in the township and county aforesaid, by the oath or affirmation of one or more credible witnesses, and that the terms of said contract have been faithfully complied with by the said William Wilson and Joshua Beer, respectively, a record whereof shall be made by the clerk of said court, at the expense of said purchasers, John Sharp, the administrator of the estate of John Sutton, deceased, who died intestate, not having completed the titles to said lands to the said William Wilson and Joshua Beer, in his lifetime, shall, and he is hereby authorized to make and execute to the said William Wilson and Joshua Beer, respectively, a sufficient deed for the land by them respectively contracted for with the said John Sutton in his lifetime, which deeds shall vest the titles to the said lands in the said purchasers respectively in fee simple, as fully, and to all intents and purposes, as if the said John Sutton, in his lifetime, had made and executed the same to the said William Wilson and Joshua Beer respectively, in pursuance of the said contracts, had and made between the parties aforesaid.

Approved March 22, 1809. Recorded in L. B. No. 11, p. 324.

CHAPTER MMMLXI.

AN ACT LAYING A TAX ON DOGS IN CERTAIN COUNTIES, AND FOR OTHER PURPOSES.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of

the commissioners of the city and county of Philadelphia, and of the counties of Bucks, Chester, Montgomery and Delaware, and they are hereby required to cause an accurate return to be taken annually by the assessors of the several townships, wards or districts within their respective counties, of all dogs upwards of one month of age, owned or possessed by any person or persons within their respective townships, wards or districts, particularly noting the number owned or possessed by each person and kept about any one house, and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected annually from every person or persons owning and possessing one dog, twenty-five cents, and for every second dog kept about the same house one dollar; and for every additional dog, two dollars, by the collectors of the several townships, wards or districts, at the same time and in the same manner the county rates and levies are collected, for which the said collectors shall be allowed five per centum out of the money so collected. And it shall be the duty of the county treasurers to keep separate accounts of the money arising from the tax on dogs, and the said money shall be and hereby is appropriated as a fund for remunerating the inhabitants of the said counties respectively, for any loss they shall sustain after the passing of this act, by sheep being destroyed by a dog or dogs, except the tax arising by this act within the city of Philadelphia, the township of the Northern Liberties and the district of Southwark, which shall be paid by the collectors to the treasurer of the guardians of the poor, and by them appropriated for the support of the poor of the said city, township and district.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That when any inhabitant of the counties aforesaid shall have had any sheep destroyed by a dog or dogs, he or she may apply to the appraisers appointed by this act, and they or any two of them are hereby authorized and required to view and ascertain the damage sustained by the owner of such sheep destroyed as aforesaid, and when they

shall have ascertained the legality of the claim and the damages so sustained, they or any two of them shall certify the same under their hands and seals to the commissioners of the county, who shall draw their warrant on the treasurer of the county for the amount so certified to be paid out of the fund arising from the tax on dogs; but if there shall not be sufficient money in the treasury belonging to the said fund, then the said warrant shall be kept by the person in whose favor it shall have been drawn, and be paid out of the first money that shall come into the treasury belonging to said fund.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the persons elected to audit and settle the accounts of the supervisors of the highways in the several townships, wards and districts, shall be, and they are hereby appointed appraisers of the damage done by dogs within their respective townships, wards or districts, and shall have full power and authority to examine any person that shall appear before them, respecting the premises upon oath or affirmation, to be by them administered.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessor to return the person inhabiting said house as the owner or possessor of such dog, and any person sending his or her dog from house to house, or from place to place in order to evade the said tax, shall be liable to pay double tax therefor, and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing him running at large.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any dog shall be seen worrying sheep, it shall be lawful for any person seeing the same to kill such dog, if any dog shall have been known to worry sheep, and information thereof be given to the owner of

such dog, if he does not kill or cause him to be killed, he shall make full compensation for all damage done by said dog, and any person seeing said dog running at large, may lawfully kill him.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the surplus money remaining in the treasury of the aforesaid counties on the first day of May annually (after deducting what may probably be wanted before another tax can be collected) arising from the tax on dogs, shall be applied by the commissioners of said counties in purchasing a number of Marino rams and ewes of the full blood, which shall be placed by them in the most convenient places in the said county for the benefit of the farmers; and every farmer shall have liberty to send three ewes to some one ram in said county to continue with him for one week free of expense, except a reasonable compensation for pasturage. The ewes of the full blood shall be kept with some ram of the same full blood, and the male product thereof shall be placed at one year old in some other convenient place in the county for the benefit of the farmers aforesaid; and the female product to be kept with the ram of the full blood in order to increase the stock and keep the blood pure. And whenever the commissioners of any county shall be of opinion that such breed of sheep shall have so increased as to render it proper to dispose of any part thereof, they may sell so many of them as they shall think proper, for the best price that can be obtained for the same, (always giving the farmers of their respective counties the preference); and the product arising from such sales, together with the surplus funds arising from the tax on dogs, shall be applied in procuring some other approved breed of sheep, to be placed in their respective counties in manner aforesaid; or for the importation from Europe or elsewhere, the most approved breed of cattle to be placed in their respective counties for the benefit of the farmers, in the same manner as is provided for sheep.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the return of the num-

ber of dogs taken in the county of Delaware, under an act passed the tenth day of April, one thousand eight hundred and seven, entitled "An act authorizing the commissioners of Delaware county to lay a tax on dogs,"⁽¹⁾ shall be as valid to all intents and purposes as if taken under the provisions of this act, and the said recited act is hereby repealed and made void.

Approved March 23, 1809. Recorded in L. B. No. 11, p. 325.
Note (1). Chapter 2856; Supra this volume, p. 623.

CHAPTER MMMLXII.

AN ACT GRANTING A SUM OF MONEY TO CATHARINE SHIBE FOR SERVICES RENDERED BY HER LATE HUSBAND IN THE REVOLUTIONARY WAR.

Whereas it appears that Matthias Shibe, late of Lancaster county, deceased, served as a soldier in the late revolutionary war, and that for six months service which he served in captain Roman's company, in the year one thousand seven hundred and seventy-six, neither the petitioner nor his family have received any compensation, and as the petitioner is aged and infirm: Therefore,

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be, and he is hereby authorized to draw his warrant on the state treasurer, in favor of Catharine Shibe, widow of Matthias Shibe, deceased, for the sum of forty dollars, to be paid out of any unappropriated monies in the treasury.

Approved March 23, 1809. Recorded in L. B. No. 11, p. 326.