

1771. said, to be laid out in amending and repairing the said streets and highways within the said described piece of land.

VII. *Provided always*, That nothing in this act shall be deemed or construed to repeal any matter, clause or thing, in a certain act of assembly, passed in the fifth year of his present Majesty's reign, entitled *An act for opening, and better amending and keeping in repair, the public roads and highways within this province;*\* and of one other act of Assembly, passed in the tenth year of his present Majesty's reign, entitled *An act to continue the act, entitled an Act for the opening, and better amending and keeping in repair, the public roads and highways within this province;*† but the same, and every part thereof, shall continue and remain in force during the term limited in the said acts, saving in such parts as are hereby altered, changed or supplied.

\* Chap. 536.

† Chap. 614.

Passed 9th March, 1771.—Recorded A. vol. V. page 409. (m)

(m) The regulation of a lot by regulators under the act in the text, from which no appeal is entered to the next Common Pleas, is *conclusive* as to the foundations and party walls of buildings erected conformably thereto, but not so as to the lines of the lots on which there are no buildings. 1 Binney, 352/

## CHAPTER DCXXV.

*A SUPPLEMENT to the act, entitled an Act for the better regulation of servants in this province and territories. (n)*

WHEREAS in and by the act of assembly, passed in the twelfth year of the reign of William the third, entitled *An act for the regulation of servants in this province and territories*, full powers are given to the Courts of General Quarter Sessions, in this province, to make restitution to the masters and mistresses of such servants, as shall absent themselves from their service during the term of their servitude, but no clear and express authority is given to the said Courts to order and enforce the delivery and payment of freedom dues to the said servants, at the expiration of their servitude, and such servants are left to their remedy by action of covenant, which is attended with so much expense and trouble, that many servants, after having faithfully discharged their duty and servitude, are discouraged from prosecuting their suits, and thereby deprived of their just dues: For the remedying whereof, *Be it enacted*, That it shall and may be lawful to and for the Justices in the Court of Quarter Sessions for the city of Philadelphia, or any county within this province, on complaint made, by petition presented to them by any servant, who shall have served out his or her time, that his or her last master or mistress, their executors or administrators, have not furnished him or her with freedom dues, and performed the covenants in his or her indentures mentioned, to cause the said master or mistress, their executors or administrators, to

Where freedom dues are withheld by masters or mistresses, &c. manner of obtaining the same &c.

(n) For the original act, and a general reference to the laws respecting servants, apprentices, German emigrants indentured to serve, &c. see ante chap. 49, pa. 11. (Note to former edition.)

come before them, and, after hearing the allegations of the parties and evidences, if it shall appear to them just and reasonable, to adjudge, order and direct delivery or payment of such freedom dues, sums of money, or other things, as shall be justly due to the said servant at the expiration of his or her servitude, according to law, and the covenants in his or her indentures mentioned. And if the said master or mistress, his or her executors or administrators, shall neglect or refuse to comply with such order of the said Justices, in such time as shall be by them appointed, to adjudge the value of such freedom dues, and give judgment, and award execution, with reasonable costs of suit, to be levied by any constable accordingly. And if the said petitioner shall be by the said Justices found to have no just cause of complaint, he or she shall pay all costs, to be recovered and levied in manner aforesaid.

II. And whereas doubts have arisen, whether, by virtue of the act to which this is a supplement, the Justices in their general sessions can, after the expiration of the time of servitude, legally make any order, obliging the person who was a servant, and, during his or her servitude, had quitted the service of his or her master or mistress, further to serve such former master or mistress, as a satisfaction for the damages and charges sustained thereby: To remove the said doubts, and also to provide a just recompence to such master or mistress, his or her executors or administrators, in any case where a servant shall quit his or her service, *Be it enacted*, That if any person, being a servant, shall absent him or herself from the service of his or her master or mistress, without leave first obtained, the Justices aforesaid shall, at their General Quarter Sessions, upon application made to them by the master or mistress, his or her executors or administrators, whether such application be before or after the expiration of such person's time of servitude; oblige such person to make a full recompence for the damages and charges the said Justices shall adjudge to be sustained by such absence, either by serving five days for every day he or she was so absent, or by such other reasonable satisfaction, as to the said Justices shall seem meet.

Servants  
absenting  
from their  
Masters or  
Mistresses  
without  
leave, man-  
ner of ob-  
taining re-  
compence

III. *And be it further enacted*, That so much of the act of Assembly herein before mentioned, as relates to servants having a new grubbing-hoe, an axe, and a weeding-hoe, at the expiration of their servitude, and so much thereof, as is hereby altered, shall be, and is hereby repealed, and made null and void.

Part of a  
former law  
repealed  
ante. chap.  
49, pa. 10.

Passed 9th March, 1771.—Recorded A. vol. V. page 426.