

offence, the offender shall be committed to gaol, and sentenced to the pillory, there to stand one hour, on a market day, in any city, borough or town, of the respective counties aforesaid, where the fact shall be committed. 1774.

Altered by the existing penal laws.

XI. *And be it enacted,* That all and singular the fines, forfeitures and penalties, in and by this act set and appointed, shall be paid, one half thereof to the informer, or person who shall sue for the same, and the other half to the Overseers of the poor of the city, township or place, where the offence shall be committed; and shall be recovered, if they do not exceed five pounds, as debts not exceeding five pounds are usually recovered; and if above five pounds, shall be sued for and recovered by bill, plaint or information, in any Court of Record within this province, wherein no essoin, protection or wager of law, nor any more than one imparlance, shall be allowed.

Appropriation of the fines, and how to be recovered.

Passed 24th December, 1774.—Recorded A. vol. VI. page 52.

CHAPTER DCCIII.

An ACT to suppress the disorderly practice of firing guns, &c. on the times therein mentioned. (u)

WHEREAS a disorderly practice prevails in many parts of this province, of firing guns at or near new-year's day, which is frequently attended with much mischief, and greatly disturbs the public peace: For remedy whereof for the future, *Be it enacted,* That if, after the publication of this act, any person or persons shall, on any thirty-first day of December, or first or second day of January, in every year, wantonly, and without reasonable occasion, discharge and fire off any hand-gun, pistol or other fire-arms, or shall cast, throw or fire any squibs, rockets or other fire-works, within the inhabited parts of this province, to the disturbance of any of his Majesty's subjects there inhabiting and being, every such person so offending, and being thereof convicted before any one Justice of the Peace of the county, or Mayor or other head officer, a Justice of Peace of any city or town corporate, where such offence shall be committed, either by confession of the party so offending, or the oath or affirmation of one or more credible witness (which oath or affirmation the said Justice or other officer aforesaid is hereby empowered and required to administer) shall for every such offence forfeit, for the use of the poor of the township or district where such offender lives, the sum of ten shillings, to be levied by distress and sale of the offender's goods and chattels, by warrant, under the hand and seal of the Justice or other officer before whom such offenders shall be convicted, returning the overplus, if any, to the owner, the reasonable charge of distraining being first deducted; and for want of such distress, such offender shall be committed to prison for the space of five days, without bail or main-prize.

Penalty on persons discharging any gun, &c. on the 31st of December, &c.

(u) See the acts respecting the Corporation, chap. 1383. (Note to former edition.)

1774.

Penalty on
housekeep-
ers permit-
ting guns,
&c. to be
fired off at
their houses.

II. *And be it further enacted*, That if any person or persons, after the publication of this act, shall willingly permit or suffer, within the time aforesaid, any person or persons to discharge or fire off, at his or her house, any hand-gun, pistol, or other fire-arms, or to cast, throw or fire any squibs, rockets, or other fire-works, as aforesaid, every person so as aforesaid offending, and being thereof convicted in manner aforesaid, shall for every such offence forfeit and pay, for the use aforesaid, the sum of twenty shillings, to be recovered in manner aforesaid.

Constables
having
knowledge of
any offences
against this
act, to pre-
sent the same
on oath or
affirmation.

III. *And be it further enacted*, That the Constable of each respective city, borough, township or place, in every county of this province, having any knowledge of any offences against this act, shall, and he is hereby required, under the penalty of twenty shillings, to present, on oath or affirmation, every such offence to one of the next Justices of the Peace of their respective counties, or before the Justices of the General Quarter Sessions of the Peace for the same county, together with the name or names of all such offenders, that they may be tried, agreeable to the directions of this act.

Persons ag-
grieved may
appeal, &c.

IV. *Provided always*, That if any person shall conceive him or herself aggrieved by the judgment of any such Justice, he or she may appeal to the next County Court of Quarter Sessions of the said county, who shall, on the petition of the party, take such order therein, as to them shall appear just and reasonable, and the same shall be conclusive to all parties.

Limitation
of prosecu-
tion.

V. *Provided always*, That no person or persons shall be prosecuted or troubled for any offence against this act, unless the same be prosecuted within four months after the offence committed.

Passed 24th December, 1774.—Recorded A. vol. VI. page 55.

CHAPTER DCCIV.

A SUPPLEMENT to the act, entitled An Act for acknowledging and recording of deeds. (x)

Deeds and
conveyances
of lands, &c.
to be ac-
knowledged
or proved be-
fore one of
the Judges
of the Su-
preme Court,

WHEREAS by the different and secret ways of conveying lands, tenements and hereditaments, such as are ill disposed, have it in their power to commit frauds, by means whereof divers persons may be injured in their purchases and mortgages by prior and secret conveyances, and fraudulent incumbrances: For remedy whereof, *Be it enacted*, That all deeds and conveyances, which, from and after the publication hereof, shall be made and executed within this province, of or concerning any lands, tenements or hereditaments, in this province, or whereby the same may be any way affected in law or equity, shall be acknowledged by one of the grantors or bargainors, or proved by one or more of the subscribing wit-

(x) For a general reference to all the laws that have been passed, and to various cases that have been adjudged relative to the acknowledgment, pro-

bate, and recording of deeds, see ante. chap. 208, and the notes there subjoined, pp. 96, (*Note to former edition.*)