

No. 269.

A N A C T

To reduce the expenses of the militia system of this commonwealth, and provide a more rigid mode for the collection of militia fines.

SECTION 1. *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 act, entitled "An Act passed the second day of April, one thousand eight hundred and twenty-two, for the regulation of the militia of this commonwealth, and the several supplements thereto," be, and the same are hereby declared to remain in full force and effect, and under the same general organization, except such revisions and alterations as shall be hereinafter especially and specifically detailed.

SECTION 2. That the twenty-second section of the act above referred to, which provides for training the militia of this commonwealth, by May trainings. companies, on the first Monday in May, in each and every year, and the training of the same by battalions and regiments, commencing on the second Monday in May, are hereby declared to remain unchanged: Proviso. *Provided,* That the commanding officers of each and every regiment or battalion, shall cause the roll to be called, and the return of the absentees of the field and staff officers to be made under oath or affirmation, to the proper brigade inspector, instead of to a court of appeal on the same day of training; and for neglect of this duty, said officer shall be subject to the penalty of twenty dollars, to be collected for the use of the commonwealth, by the brigade inspector, as debts of equal amount are by law recoverable; and any person who may desire not to be called to attend any militia training, may exempt himself from such Exempts. call, by paying to the treasurer of the proper county, during each year, one dollar for the use of militia fund; and the receipt of the county treasurer shall be evidence of the payment of said sum: and hereafter, if the commanding officer of the regiment, and the major of the battalion are unable to fix and agree upon the place of holding the battalion training, agreeably to the provisions of the twenty-second section of the act of second of April, one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia," then and in that case, the place of training shall be in the same place at which the last preceding training took place.

SECTION 3. That so much of the twenty-fourth section of the act above referred to, as requires each captain to forward to the court of appeal, his list of absentees, and the twenty-fifth and twenty-sixth sections of the act aforesaid, and the several supplements thereto, as provide for the establishment of courts of appeal and boards of exoner- Abolished, courts of appeal. ation for the regulation of militia fines, be and the same are hereby repealed; and it shall be the duty of each and every captain or other officer appointed to take the enrollment, and mark the absentees in the Absentees. bounds of the several militia companies within this commonwealth, to make out a complete list of such absentees, marking particularly the borough, ward or township, in which any delinquent militiaman may reside, and on the day of battalion or regimental training, or within ten days after, the said captain or other officer performing that duty, shall

deliver to the proper brigade inspector or cause to be delivered, a complete list of such delinquent militiamen, in the bounds of said company, on both the lawful days of training, in the order aforesaid.

SECTION 4. That it shall be the duty of each brigade inspector or Oath of captain. other officer assigned to that duty, to administer an oath or affirmation to each and every captain or other officer, whose duty it may be, to prepare and deliver any list of absentees, that it is a true return of the persons as aforesaid, within the bounds of his company; and any captain or other person having charge of the enrollment of any company, and refusing or neglecting to prepare and deliver to the proper brigade inspector, a list as aforesaid, shall forfeit and pay the sum of fifty dollars, to be sued for and collected by the proper brigade inspector, for the use of the commonwealth, as other debts of equal amount are by law recoverable.

SECTION 5. That from and after the passage of this act, it shall be Brigade, regi- the duty of the brigade inspector, within twenty days after the parades ments and com- have been gone through, to make out two complete lists for each county, panies. of all the militia regiments and companies within the bounds of his brigade, giving each company its proper number, in its proper regiment, and set opposite the proper number of each regiment, the amount of fines levied against the field and staff officers; and opposite each Fines. company, thus numbered, the amount of fines levied in each of said companies on the aforesaid days of training, marking the counties, townships, wards and boroughs, in which said delinquents may reside, and mark blank to those regiments and companies where there are no absentees; and each adjutant or captain is hereby required, under the penalty aforesaid, to make the proper return to the inspector, as well when there are no absentees as when there are.

SECTION 6. That it shall be the duty of each brigade inspector, and Auditor general. he is hereby required, on or before the fifteenth day of June, in each and every year, to forward one list of said delinquents, and the proper Delinquents. amount of the fines so levied as aforesaid, in each county, to the auditor general of the commonwealth, certifying to the correctness of the same, and the said auditor general shall charge the amount to the treasurer of the proper county as a military fund, which shall be evidence at all times as to the amount of militia fines levied in each and every county; and the said brigade inspector is further required to deliver to each board of county commissioners in the bounds of his brigade, within the time County commis- above specified, a copy of fines levied, retaining the original lists of sioners. delinquent militiamen, as received from the several captains of militia companies within his brigade, to be filed in his office; and if any brigade inspector shall refuse, or neglect to keep up the aforesaid organization of the several regiments and companies within his brigade, to the end that the full number of returns of fines levied of all the regiments and companies should not be received, whether with absentees or otherwise, unless a sufficient reason be immediately furnished that it was impracticable on account of certain disorganization, and in this case said brigade inspector shall proceed, as is directed by the twenty-first section of this act, otherwise it shall be the duty of the auditor general, or the county commissioners, as the case may be, when the proper number of returns as aforesaid have not been received in due time, to give notice to the state treasurer, whose duty it shall be to Duties of state withhold the pay of such brigade inspector, until the above requirements treasurer. are fully complied with; and if such neglect or refusal is persisted in on the part of any brigade inspector, and the proper number of regimental and company returns should not be forwarded to said auditor

Governor.

general and county commissioners, notice shall be given by either the said auditor general or said county commissioners to the governor of the commonwealth, whose duty it shall be to forthwith remove such delinquent brigade inspector from office, and appoint another in his stead, with authority to perform the several duties hereby enjoined by the several acts now in force in this commonwealth, until another shall be elected, agreeably to existing laws; or if the auditor general, while settling the account of any brigade inspector, shall have cause to suspect that fraud had been practiced by said brigade inspector in the arrangement of his account, or by altering his vouchers, so as to enlarge his claims against the commonwealth, the said auditor general shall employ such means as shall be necessary to ascertain the fact; and if satisfactory evidence shall appear that such fraud was practiced, immediate notice shall be given by the auditor general to the governor, who shall proceed forthwith to remove said fraudulent brigade inspector, and shall supply his place as provided in this section.

County commis-
sioners, powers
and duties.

SECTION 7. That it shall be the duty of the county commissioners, on or before the first Monday in July, in each and every year, having received the returns of the delinquent field and staff officers, and enrolled militiamen, within their respective counties, to make out duplicate copies of the same, and arrange each delinquent to their proper township, ward or borough, in which any such delinquent may reside; one of which copies shall be filed in their office, and the other accompanied with their warrant, (which shall be similar to that for the collection of taxes,) shall be delivered to the several collectors within their several counties, whose several duties it shall be, within thirty days after said first Monday in July, to call on each and every person named in said list or schedule, and demand payment; and if payment is not made within ten days thereafter, the several collectors are hereby required to proceed to collect, under the same authority, and in all respects as they are authorized to do in case of the collection of the county rates and levies; and said collectors are hereby required to receive the said warrant, under the same restrictions and securities for a faithful discharge of their duties, as in case of the collection of state and county taxes; and in case of refusal or neglect on the part of any such collector to receive said duplicate, he shall be subject to the payment of a fine of fifty dollars, to be sued for and collected by the treasurer of the proper county, for the use of the commonwealth, as debts of equal amount are by law recoverable; and the said collector or collectors shall be entitled, as a full compensation for their services, to an amount equal to ten per cent. on the first one hundred dollars paid in by each collector, and five per cent. on any additional sum, on the whole amount collected, in cash, and paid into the county treasury.

Delinquents.
Oath.

SECTION 8. That it shall or may be the privilege of any delinquent militiaman, to go before any alderman or justice of the peace in the borough, ward, or township in which he may reside, and on his request the said alderman or justice of the peace is hereby required, for a fee of twelve and a half cents, to be paid by the applicant, to administer an oath or affirmation to said applicant; and if the detailed reasons given by him shall be such as to entitle him to an exemption agreeably to the provisions of this act, then said alderman or justice of the peace shall give him a certificate detailing said reason specifically, and stating that he the said applicant was sworn or affirmed; but if his reasons are not such as shall be hereinafter provided for the remission of fines, of delinquent militiamen, then, in that case the said alderman or justice of the peace shall dismiss him without any such certificate.

SECTION 9. That it shall be lawful for the county commissioners to receive all certificates produced by collectors in legal form, and taken before the proper authorities, in settling the military duplicate of the several collectors; and in case there be any person named in the list or schedule who could not be found by said collectors, the said commissioners shall administer an oath to the collector that he made diligent search, and no such person could be found in his bounds; and in all such cases, together with all legal certificates, the said commissioners shall give the said collector a credit order, which shall be an ample voucher for said collector in the settlement of his military account with the county treasurer; and on or before the first day of October, it shall be the duty of the county treasurer, immediately after the final settlement of each collector of the several townships, wards and boroughs, to transmit to the auditor general a certified statement of the amount received from the several collectors, and the amount exonerated by the county commissioners; and the said county treasurer is hereby required to pay over, on the draft of the state treasurer, any money thus remaining in his hands, deducting one per cent. as a full compensation for his service as county treasurer, for receiving and settling the military duplicate of the several collectors; and the several county treasurers of this commonwealth are hereby required to receive, from the several collectors of taxes, all and any moneys collected as militia fines, on the same terms and conditions that they are required by law to receive the county rates and levies; and the said treasurers are hereby authorized and empowered to enforce the collection of fines aforesaid, as in case of the collection of State and county taxes; and said collectors shall, within sixty days after having received said duplicate warrants from the county commissioners, settle and pay into the county treasury the full amount of his warrant, first deducting his exonerations, and on or before the above specified time, shall finally settle and close up his duplicate, agreeably to this act now made and provided.

Collectors' certificates.
Oath.
County treasurer.

SECTION 10. That the amount of money thus received by the county treasurer, shall be set apart as a military fund, to be accounted for to the treasurer of the state, as in case of state taxes; and all such money shall be disbursed under the direction of the auditor general and state treasurer, by drafts to the several brigade inspectors, for any amount that may be due them upon the settlement of their account, as is provided by existing laws now in force for the settlement of the accounts of brigade inspectors: *Provided*, That no moneys shall be paid for any military purposes, by any brigade inspector, except as is herein especially authorized.

Military fund.

SECTION 11. That from and after the passage of this act, the fines and forfeitures of officers, musicians and privates, for non-attendance on days of training, and for other causes herein set forth, shall be as follows: Each field officer, including colonels, lieutenant colonels and majors, four dollars per day; each staff officer shall be two dollars per day; and each company officer shall be two dollars for every day required by law; and each non-commissioned officer and private, shall be fifty cents for non-attendance on the first Monday in May, and fifty cents for non-attendance on the day of battalion or regimental trainings; and each musician appointed to do service on days of regimental or battalion trainings, for non-attendance, shall pay a fine of two dollars, if he accept the appointment as a battalion musician, which the colonel, or other field officer, is hereby authorized to make.

Fines and forfeitures.

SECTION 12. That the second section of an act passed the fourth day of April, one thousand eight hundred and thirty-seven, and all other

Parts of former laws repealed.

acts exempting from training with the militia, or the payment of fines, persons attaching themselves to volunteer companies as honorary members, and so much of the act passed the eighteenth day of April, one thousand eight hundred and forty-three, in relation to the militia system, be and the same are hereby repealed; and any person claiming to be exempt from training with the militia, on account of being a member of a volunteer company, and doubts should be entertained as to the fact by the proper militia enrolling officers, such person claiming exemption, shall produce a statement, made under oath or affirmation, before an alderman or justice of the peace, that he is in complete uniform, and an acting member in a volunteer company regularly organized according to law.

Who shall perform militia duty.

Exceptions.

SECTION 13. That hereafter all free able bodied white male persons, between the ages of eighteen and forty-five years, who have resided within this commonwealth one month, shall be subject to do militia duty, anything in any former laws to the contrary notwithstanding, except the following description of persons, viz: The vice president and judicial and executive officers of the United States, members of congress, custom house officers, stage drivers carrying the mail of the United States, ferrymen employed on post roads, postmasters, inspectors of exports, pilots and mariners actually employed in the sea service, ministers of the gospel, and any person enrolled who shall claim to be exempt from military duty in consequence of having served as a commissioned officer for seven successive years, who will make proof, to the commanding officer of any company in which he may reside or be enrolled, of such service, by his statement under oath, which may be administered by such captain or commanding officer, that he performed said service in all respects according to the forty-eighth section of the act of the second of April, one thousand eight hundred and twenty-two; and those who may have served as a volunteer seven successive years, and have received their certificate of discharge in strict conformity to existing laws, and shall produce to the militia captain or enrolling officer, in whose bounds he may reside, a certificate in due form, and in strict accordance with the forty-seventh section of the act passed the second day of April, one thousand eight hundred and twenty-two; and any person holding a surgeon's certificate in regular form, as required by the eighth section of the act passed the second day of April, one thousand eight hundred and twenty-two; but if such surgeon's certificate does not carry on its face conclusive evidence to show that said surgeon or physician (as the case may be) were duly qualified according to law, such certificate shall be of no effect whatever, and the person holding the same shall be subject to all the requirements of the militia law, as if he had no such certificate.

Non-attendance.

SECTION 14. That no cause of absence by any officer, musician or private, shall be deemed a sufficient reason for non-attendance on days of training, or non-payment of fines, except in case of sickness of himself or family, so that prudence would forbid his attendance, or if any person subject to militia duty should be prevented by damage sustained by flood or fire from attendance on days of training, shall be exempt, but no other absence on account of any business, whether avoidable or otherwise, will be deemed sufficient for the remission of any militia fine; and any justice of the peace or alderman within this commonwealth, giving a discharge to any person claiming to be exempt from the payment of militia fines, unless in strict accordance with the foregoing, he shall be deemed guilty of a misdemeanor in office, and shall be subject to all the penalties imposed for such offences as are provided by existing laws.

SECTION 15. That so much of the forty-ninth section of an act, passed the second day of April, one thousand eight hundred and twenty-two, for the regulation of the militia of this commonwealth, and the seventh section of the supplement thereto, passed the thirtieth day of March, one thousand eight hundred and twenty-four, as provides for the purchase of colors, flags, drums, fifes, bugles and trumpets, and so much of the fifty-fourth section of the act passed the second day of April, one thousand eight hundred and twenty-two, which authorizes the teaching of musicians at the expense of the commonwealth, and the thirteenth section of the act passed the nineteenth day of March, one thousand eight hundred and thirty-eight, which provides that the state treasurer shall pay, upon the order of the adjutant general, fifty dollars to each volunteer battalion, and one hundred dollars to each volunteer regiment, for the transportation of tents to and from military encampments, and any law authorizing the transportation of arms at the expense of the commonwealth—this, together with the other acts and sections above quoted in this section, be and the same are hereby repealed, **Repeal.** any thing in the former law to the contrary notwithstanding; and hereafter no public money shall be disbursed for any thing contained in the foregoing section, only by special appropriation.

SECTION 16. That all moneys collected and paid into the several county treasuries of this commonwealth, for military purposes, shall be disbursed as is directed by the tenth section of this act; and the county treasurers, immediately after closing the military duplicates of the several collectors within their respective counties, shall make an estimate of the amount necessary to meet the military claims in said counties, and the balance they are hereby required to remit to the state treasurer, as in case of state taxes; and the state treasurer is hereby required to set apart the same as a military fund: and when a sufficient amount cannot be collected in the bounds of any brigade to defray the expenses thereof, as provided by this act, the brigade inspectors of any such brigades are hereby authorized to draw upon the state treasurer for the balance, in the usual way: *Provided*, He shall furnish a detailed statement of the balance remaining unpaid in his brigade, accompanied with the certificate of the county treasurer, or treasurers, that the military funds in their respective counties have been exhausted: *Provided*, That all vouchers, accounts and claims of brigade inspectors, be examined and adjusted by the auditor general and state treasurer as heretofore: *And provided further*, That no money shall be drawn from the state treasury for any military purpose, except such moneys in the treasury as shall be collected under the provisions of this act: *Provided*, That within the bounds of the several divisions of the Pennsylvania militia, every citizen who is now or may hereafter be enrolled in any volunteer company regularly organized and equipped, and shall pay, annually, to the support of the said volunteer company the sum of two dollars, shall be exempt from the performance of any other military duty; the evidence of such payment shall be the certificate of the commanding officer of such volunteer company, verified by his oath or affirmation: *And provided further*, That the commanding officers of all volunteer companies, who may sell such certificates as are herein authorized to be sold, shall furnish the brigade inspector of the proper brigade, within five days of the day of inspection of the battalion or regiment to which their companies may respectively be attached, with a list of the persons enrolled in their respective companies as aforesaid, together with their places of residence, and shall be sworn or affirmed that said list contains the names of all persons enrolled as herein provided, and that each and every one of said persons has paid to an

Musicians.

Disbursement of moneys.

Fund.

Proviso.

Exemptions.

authorized agent, or officer of the company of which he has the command, the full sum of two dollars; and if any such commanding officer shall make a false return of the persons so enrolled, or shall sell, or permit to be sold, any certificates as aforesaid, for a less sum than two dollars, he shall be subject to a fine of fifty dollars, to be recovered by suit before an alderman or justice of the peace, as debts of a like amount are by law recoverable, one-half for the use of the informer and the other half to the use of the commonwealth: *And provided, also,* That a copy of this section shall be printed or written on all certificates sold in pursuance to its provisions.

SECTION 17. That hereafter no music employed for militia training shall be paid for by the commonwealth, except as follows: For each Music, how paid. battalion of militia, there shall be allowed one fifer, one drummer, and one bass drummer, to be employed by the major, or commanding officer of each battalion or regiment, and paid by the proper brigade inspector, and to be allowed for the same in the settlement of his account; the said major or commanding officer giving a certificate for the same, noting the number of the battalion, regiment, brigade and division; and each musician so employed, shall be allowed one dollar per day for his services thus rendered, and no more.

SECTION 18. That the disbursements of each and every brigade Disbursements of inspector, shall be severally limited as follows: They shall pay to each brigade inspectors colonel or commanding officer of a regiment for advertising spring training, one dollar; they shall pay to each militia captain, or commanding officer of a company, for taking the annual enrollment of each person lawfully enrolled, one and a-half cents; for furnishing a copy of roll to inspector, one dollar; giving notice of annual training on the first Monday of May, one dollar; making return of absentees to brigade inspector, one dollar; to each adjutant for a list of absentees of field and staff officers to the brigade inspector, for each battalion, fifty cents; to each of which items herein referred to. the said captain and adjutant must be severally qualified to its correctness by the brigade inspector, at the time of delivery.

SECTION 19. That the fifty-third section of the act of one thousand Volunteer music. eight hundred and twenty-two, which provides for the employment and payment of volunteer music, shall remain in force: *Provided,* That one drummer, one fifer and one bass drummer, be allowed to each rifle company, instead of a bugler, and one bass drummer to each company of infantry and artillery, in addition to the music already allowed, to be paid by the proper brigade inspector, and to be allowed in the settlement of his accounts: and each brigade inspector shall be allowed, in the settlement of his account, which shall be made under oath, for all postage on letters and packages, sent and received, of a public nature.

SECTION 20. That there shall be no company elections held at the Election expenses expense of the state, either volunteer or militia, except at the regular septennial elections, as is provided by existing laws, and all intermediate Vacancies. vacancies in militia companies shall be supplied agreeably to the provisions made by the first section of the act, passed the thirtieth day of March, one thousand eight hundred and twenty-four, which authorizes the brigadier general and the colonel of the proper regiment to make appointment: *Provided,* That in case suitable persons cannot be found Proviso. to serve in the capacity of a captain or enrolling officer within the bounds of any militia company in this commonwealth, or if it should Companies must happen that there should be no person to enroll and call together the assemble on days militiamen agreeably to law, and make the proper returns thereby required, it is the privilege and a duty hereby enjoined on all persons of training.

within the bounds of any company of militia, within this commonwealth, subject to do militia duty, to assemble at their usual place of company trainings, on the first Monday in May, and there nominate a suitable person or persons who may be competent to discharge the several duties hereby enjoined, and forward said nomination to the commanding officers of the proper regiment: and if such citizens refuse or neglect thus to assemble and nominate the proper company officers, they shall not plead as an excuse for the non-payment of militia fines, that they had no officers to advertise their parade, and to call the roll; and the citizens thus refusing to nominate officers to discharge the several duties hereby enjoined by law, shall forfeit and pay the sum of two dollars each, annually, to be collected as is provided in the twenty-first section of this act.

SECTION 21. That it shall be the duty of the brigade inspector to keep himself informed whether there are at all times officers at the head of each militia company in his brigade, who will attend to the duties of the same; and if it is found by consulting the proper field officers, or in any other way, that no person can be had to take the enrollment, he shall give immediate notice to the township assessor, whose duty it shall be to proceed forthwith, and enroll each person within the boundaries of said company, subject to the payment of fines, under this act; and after said assessors have returned said number of persons, so enrolled, to the proper commissioners, as they are hereby bound to do within twenty days, the said commissioners shall proceed forthwith to collect said fines, in all respects as is provided for the collection of fines in the former part of this act; and said assessor shall be entitled to the same fees and be subject to the same penalties, as is provided for militia captains in former parts of this act; and for neglect or refusal on the part of the county commissioners to carry into immediate effect the provisions of this act, they shall severally be deemed guilty of a misdemeanor in office, and be subject to all the penalties made and provided by existing laws for neglect of duty; and each person, thus enrolled, shall be subject to the payment of a fine of two dollars: *Provided*, They shall have the advantage of all laws affording exemption in the former part of this act.

SECTION 22. That if any captain or commanding officer of a company shall neglect or refuse to forward to the proper brigade inspector a copy of his roll, and an authentic list of his absentees, as is required in a former part of this act, he shall forfeit and pay to the brigade inspector, for the use of the commonwealth, to be collected by him as debts of equal amount are by law recoverable, for a neglect of his roll, ten dollars, and for a neglect of his list of absentees, fifty dollars.

SECTION 23. That the adjutant general is hereby required to furnish to the auditor general and county commissioners, (at the time when he makes his annual report to the governor,) a complete list of all the regiments and companies in the commonwealth, numbered in their order.

SECTION 24. That from and after the passage of this act, the number required for the organization of any infantry company, exclusive of commissioned and non-commissioned officers and musicians, shall be thirty privates, and no less; the number required for cavalry, riflemen and artillery, shall be, exclusive of commissioned and non-commissioned officers and musicians, thirty privates, and no less.

SECTION 25. That the state treasurer, after receiving the surplus military fund from the several county treasurers in this commonwealth, as provided for in this act, shall make a pro rata division of the balance thus remaining in the treasury, amongst the several volunteer companies

of this commonwealth: *Provided*, That no company shall be entitled to any portion of said fund, only such as have a good and sufficient armory and their arms racked up, in the order prescribed by the adjutant general; and before any volunteer company shall be entitled to any portion of the fund aforesaid, the captain or commanding officers shall state, under oath or affirmation, to be certified and endorsed by the proper brigade inspector, that an armory as aforesaid has been provided, and the arms racked up in the order required.

Public military
property.

SECTION 26. That it shall be the duty of the several brigade inspectors, to collect all public military property within the several brigades, that will be rendered out of use by the passage of this act, and deposit them in some secure place, to be used as necessity appears to require; and in all cases where arms, accoutrements, or other military property, have become in the possession of any volunteer company, and not returned to the proper authorities according to law at the dissolution of said company, it shall be the duty of the proper brigade inspector, and he is hereby required to institute suits on the bonds taken, in the name of the commonwealth, for the recovery of all or any damages thus sustained, to be applied to military purposes, and to be sued for and collected as debts of equal amount are by law recoverable; that so much of the laws of this commonwealth as are hereby altered or supplied, the same are hereby repealed.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The twenty-fifth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 270.

A N A C T

To compensate Archibald Thompson, for services in arresting and convicting certain incendiaries.

Preamble.

WHEREAS, On the night of the twenty-seventh of September, one thousand eight hundred and forty-two, certain malicious and evil disposed persons, destroyed by fire, a certain bridge of the Reading railroad company, and a county bridge of the county of Montgomery, and in order to effect more certainly the apprehending and conviction of the offenders, the chief magistrate of this commonwealth issued his proclamation, offering a suitable and reasonable reward for that purpose; and it appears that Archibald Thompson, of Montgomery county, in pursuance of said proclamation, effected the arrest and conviction of two of the offenders, and incurred considerable labor and expense in so doing, and is entitled to receive said reward; therefore,