

governor-in-chief make further provision as aforesaid, or until the Queen's pleasure be known therein, and no longer.

Provided also, That in case the said governor-in-chief shall happen to be removed by death or otherwise, then it shall and may be lawful for his deputy or lieutenant for the time being to exercise all the powers of government as fully and amply as before, till further order from her Majesty, her heirs or successors, or the heirs of the said proprietary and governor-in-chief, which shall first happen.

Passed June 7, 1712. Confirmed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II.

CHAPTER CXCIV.

A SUPPLEMENTARY ACT TO AN ACT ENTITLED "AN IMPOST ACT LAYING A DUTY ON NEGROES, RUM, WINE, SPIRITS, CIDER AND VESSELS," AND APPROPRIATING CERTAIN SUMS OF MONEY ARISING BY THE SAME AND OTHER PUBLIC STOCK OF THIS PROVINCE.

[Section I.] Be it enacted by Charles Gookin, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the provincial treasurer for the time being shall, within one month after the publication of this act, pay unto the said lieutenant-governor the sum of two hundred and fifty pounds towards the support of the administration of the lieutenancy of this government, and after the said payment is complied withal, shall pay the several orders of this present Assembly issued under the Speaker's hand, and after the same are discharged the said treasurer shall further pay unto the said lieutenant-governor or his assigns for the uses aforesaid the sum of two hundred and fifty pounds more of the public stock of this province, arising by the impost act or otherwise, as the same comes to his hands. But if the said impost or any other act now in force

shall fall short to pay off and discharge the last-mentioned two hundred and fifty pounds, then what remains thereof unpaid, shall be paid out of the first moneys that shall hereafter be raised by tax or otherwise in this province.

And whereas divers persons, sojourners and traders in this province, plead exemption from paying the duties required by the impost act aforesaid, under the pretense of being inhabitants of this province, whereby the true intent of the said act is greatly eluded:

[Section II.] Be it therefore enacted by the authority aforesaid, That no person whatsoever (the governor-in-chief and his lieutenant-governor for the time being excepted) shall claim the privileges intended by the said impost act to the inhabitants unless such person or claimer shall first make it appear to the officer appointed to put the impost act aforesaid in execution that he or they have been resident in this province for the space of one year next before such time of his or their application made. And that all persons obliged by the said act to pay any the imposts or duties imposed by the same shall apply to the officer aforesaid without any notice given or being otherwise thereunto required by the said officer; and all masters of vessels trading in this river and entering into any part of this province, having on board any of the commodities that by the said impost act are obliged to pay any the duties therein mentioned, shall and are hereby required to observe and comply with the direction of the same as though such vessel came from the sea directly.

[Section III.] And be it further enacted by the authority aforesaid, That the sheriffs, water bailiffs, constables and all other officers within this province are hereby enabled and required to be aiding and assisting to the said officer now or hereafter appointed to collect and levy the said impost, to enter on board ships and vessels and to break open houses, cellars and other places for putting this act and the said impost act in execution, under the penalty of five pounds for every refusal, to be levied as the said impost act in such cases directs.

And whereas the said impost act directs that the value of the liquors and negroes run or landed without license and cannot

be found shall be forfeited, but no provision is made by what manner of proceedings such recovery shall be obtained:

[Section IV.] Be it therefore enacted, That in case the liquors or negroes mentioned in the said act have been or shall be run or landed without license or permit from the said officer (appointed to put this and the said act in execution) cannot be found, then the person or persons offending therein upon due proof made shall forfeit the value thereof, to be recovered in any court of record in this province by bill, plaint or information to be brought by the said officer, wherein no essoin, protection or wager of law nor more than one imparlance shall be allowed.

Passed June 7, 1712. Repealed by the Queen in Council, February 20, 1713-14. See Appendix III, Section II, and the Act of Assembly passed May 28, 1715, Chapters 217 and 218.