

by the act hereinbefore-mentioned, entitled "An act for the continuance of an act of assembly of this province, entitled 'An act for the more easy recovery of legacies within this province,'"¹ for and during the term of seven years and from thence to the end of the next sitting of assembly and no longer.

Passed March 17, 1757. Confirmed by the King in Council, June 16, 1758. See Appendix XXI, Section IV, and note to the Act of Assembly passed February 3, 1742-43, Chapter 358.

CHAPTER CCCCXX.

AN ACT TO RENDER THE QUARTERING OF SOLDIERS ON THE PUBLIC HOUSES OF THIS PROVINCE LESS BURDENSOME.

Whereas by a late act of assembly, entitled "An act for extending several sections of an act of Parliament passed in the twenty-ninth year of the present reign, entitled "An act for punishing mutiny and desertion and for the better payment of the army and their quarters,""² all the public houses of this province are subjected to the billeting of soldiers quartered within the same, but forasmuch as His Majesty's service hath required and may [hereafter require] that quarters should be allotted in particular parts of the province while other parts remain free from that burden, and the public housekeepers where soldiers are quartered have complained that the numbers billeted upon them are greater than they are able to provide for, no allowance being made them for the lodging, firewood, beer and other necessaries they are by law obliged to supply:

Therefore the better to enable [the] public houses to provide duly for the King's soldiers:

[Section I.] Be it enacted by the Honorable William Denny, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprie-

¹ Passed January 27, 1749-50, Chapter 385.

² Passed December 8, 1756, Chapter 415.

tries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, [and] by the authority of the same, That there shall be allowed and paid out of the provincial treasury to every public housekeeper or retailer on whom soldiers are billeted by virtue of the aforesaid act for each soldier so billeted and by such public housekeeper or retailer duly provided with lodging, fire, beer and other necessaries by law to be supplied in quarters the sum of four pence per day for as many days as such soldiers are or have been or hereafter shall be so billeted and provided with necessaries as aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That for and towards raising a fund in the treasury for such payments every public housekeeper or retailer of liquors within this province subject by law to the billeting of soldiers shall, during the continuance of this act, pay an additional excise of two pence per gallon on all wine, rum, brandy or other spirits by him or her sold or retailed, or a proportional addition to the three pounds *per annum* paid by the smaller retailers, to be collected and received by the collectors of the excise in the respective counties and by them accounted for and paid into the provincial treasury in the same manner as the other excise is to be collected and paid by an act of assembly passed in the present year of His Majesty's reign, entitled "An act for striking the sum of thirty thousand pounds in bills of credit and giving the same to the King's use, and for providing a fund to sink the bills so to be emitted by laying an excise on all wine, rum, brandy and other spirits."¹

[Section III.] And be it further enacted by the authority aforesaid, That the provincial commissioners appointed by the said act "For striking the sum of thirty thousand pounds in bills of credit and giving the same to the King's use, and for providing a fund to sink the bills so to be emitted by laying an excise on all wine, rum, brandy and other spirits," shall and they are hereby empowered and required to adjust and settle all the demands of public housekeepers for quartering soldiers made

¹ Passed September 21, 1756, Chapter 412.

in pursuance of this act, and to draw orders on the provincial treasurer for the sums they shall find to be justly due, which orders shall accordingly be paid out of the additional excise so as aforesaid to be collected. And the said commissioners, treasurer and collectors of the excise shall have and receive for their care and trouble herein the same commissions or allowances respectively on the several sums to be paid or collected by virtue of this act as are allowed and directed by the act for granting thirty thousand pounds to the King's use hereinbefore-mentioned.

And whereas several persons who were indulged with licenses to keep public houses or retail liquors in this province have lately, when some of the King's soldiers were billeted upon them, thrown up their licenses to avoid that service to the public which by law they ought to have performed and thereby rendered the burden on other public houses more heavy and hard to be borne.

[Section IV.] Therefore be it enacted, That every public housekeeper [or retailer] who so hath thrown up or shall so throw up or relinquish his or her license to avoid the billeting of soldiers when thereunto legally required, shall be and is hereby declared to be incapable of receiving any such license thereafter in this province during the continuance of this act, any recommendation from the justices notwithstanding. And if any such public housekeeper or retailer shall presume to keep a public house or to retail spiritous liquors by virtue of any license [obtained] after he or she had so relinquished his or her license contrary to this act, such subsequent license shall be deemed void and the offender liable to all the penalties by law to be inflicted on those that keep public houses or retail spiritous liquors without license, any law, usage or custom to the contrary notwithstanding.

This act to continue in force until the twenty-fourth day of March, one thousand seven hundred and fifty-eight and no longer.

Passed March 17, 1757. Referred for consideration by the King in Council, January 27, 1758, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and the Act of Assembly passed April 29, 1758, Chapter 433.