

CHAPTER DCCLVIII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT DIRECTING THE MODE OF COLLECTING THE FINES IMPOSED ON PERSONS WHO DID NOT MEET AND EXERCISE IN ORDER TO LEARN THE ART MILITARY ACCORDING TO THE RESOLVES OF THE LATE ASSEMBLY OF PENNSYLVANIA." ¹

(Section I, P. L.) Whereas for the speedy execution of the good purposes to which the said resolves of the late and the said act of the present general assembly of this state were agreed upon and passed several certain days were in and by the same act to which this is a supplement expressly and peremptorily stated and fixed for the doing of several matters and things necessary to be done in order to obtain the end and effect of the said resolves: That is to say, the twenty-eighth day of February last was fixed for the day of meeting of the commissioners of the several counties of this state and appointing proper persons to make returns in writing for every ward, township and district where such returns had not been already made of the names and surnames of every male white person who at the time of passing the said resolves were capable of bearing arms and between the ages of sixteen and fifty years (except of such persons as by the said act were excepted). The eleventh and twenty-seventh days of March then next following were fixed for the days on which the persons appointed by the commissioners should have brought in their lists and made their returns to the commissioners. The twentieth day of the same month of March was fixed for the day on or before which the captains or commanding officers of companies in the militia should return to their respective colonels lists of the associators, and the twenty-seventh day of the same month for the day on or before which the said colonels should return duplicates of the said company lists unto the said commissioners. The tenth day of April then next following was fixed for the day of meeting of

¹ Passed February 14, 1777, Chapter 742.

all or any four of the assessors of the city of Philadelphia and of the several counties within this state respectively, together with one or more of the commissioners and to appoint collectors of the said fines; and the twelfth day of May then next following was fixed for the return day of the collectors and the appeal day before the commissioners.

(Section II, P. L.) And whereas in several of the counties of this state the commissioners have not entered upon the execution of the aforesaid act, and in others a beginning thereof is made, but the making of the proper returns, appointing collectors of the said fines and several other matters by the said act of general assembly directed to be done on a certain day and within a limited time (which is since expired) remain undone to this day, to the great hurt of the public cause and the particular damage of many of the good subjects of this state for whose relief the said fines and the act of assembly for collecting the same were intended and made:

For remedying whereof:

[Section I] Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the commissioners of the city of Philadelphia and of the several counties of this state or any two of them in the said city and in each county shall, within the space of thirty days from the publication of this act or as soon as possible afterwards, meet at the court-house of the said city or county for which they are commissioners, or at any other place in the said city or county where it shall seem most convenient to them, and make diligent and strict inquiry of and ascertain what proceedings have been had in the said city or counties respectively upon the aforesaid resolves of the late assembly of Pennsylvania, or in pursuance of the said act of general assembly to which this is a supplement, and wherever they shall find that the returns of persons capable of bearing arms and within the description of the said act have not already been made they shall immediately proceed to appoint a proper person for each ward, township or district to make such returns in manner and form as by the said act is directed, and shall fix a day or days on

which the persons so to be appointed shall make their returns to them the said commissioners not exceeding twenty days from the date of the appointment. And that the captains or commanding officers of companies of the militia who have not made out lists of the persons belonging to their companies and the colonels who have not made duplicates thereof and returned the same shall and they are hereby required according to the best of their knowledge and ability to make and return such lists and duplicates as by the said act is directed within the space of thirty days from the publication of this act. And that the commissioners, assessors, collectors of fines and all other persons whosoever who by the aforesaid act of assembly to which this is a supplement or within the true meaning and intent thereof are enjoined and required to do any act, matter or thing relative to the end and purpose of assessing, levying and collecting the fines imposed by the said resolves of the late assembly shall do and perform each of them his duty as far as it remains yet undone within such time as the county commissioners or assessors shall from time to time fix upon, and give notice thereof in the same line and order of the whole business through the different stages thereof from the first meeting of the commissioners to the collecting and paying into the treasury the said fines as by the said act to which this is a supplement are marked out and directed to be followed notwithstanding that the several days and times in and by the aforesaid act of assembly fixed and limited are past and expired.

[Section III, P. L.] And in order to provide against any future delays and obstructions in collecting the said fines:

[Section II] Be it further enacted by the authority aforesaid, That if it shall happen that in the city of Philadelphia or in any of the counties of this state the commissioners for the time being or any two of them by reason of sickness or of being out of the said city or county in the service of the public or for any other reason whatsoever shall or will not attend to the duties hereby enjoined them, the sheriff of the said city or county where such commissioner or commissioners shall be wanting shall under the penalty of one hundred pounds without any delay make out a summons under his hand and seal directed to some

one or two of the freeholders of his city or county who have heretofore been in the office of commissioners or in any other office of public trust depending upon the choice of the people or their representatives, commanding him or them to do and perform the several acts, matters and things which by this act and the act to which it is a supplement are directed to be done by the commissioner or commissioners who cannot or will not attend as the case shall require; and the person or persons so summoned by the sheriff under the authority of this act shall obey his summons and proceed to do the duties of a commissioner or commissioners for the purpose of executing the said resolves and act of assembly under the same penalties as by the said act are imposed on commissioners actually in office who refuse to act; and if the person or persons so summoned by the sheriff as aforesaid shall refuse or neglect to do the duties of commissioner or commissioners for the purpose required of him or them, the sheriff shall in like manner summon another or others as often as the case shall require until two persons shall be willing and active in doing the duties required of commissioners by this act and the act to which it is a supplement. And that the commissioners, assessors, collectors and other persons who have refused or neglected to expedite the business and perform the duties enjoined them by the aforesaid act within the time thereby limited shall, if they again refuse or neglect to do and expedite within the time limited by this act the same business and duty, they shall [sic] forfeit and pay double the fines and penalties imposed by the act of assembly to which this is a supplement.

[Section III] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the former county commissioners and assessors who are now out of office and have not yet delivered to the present commissioners and assessors all the books, minutes, accounts and treasurer's bonds belonging to the commissioners and assessors shall within the space of three days after demand made deliver the same to the commissioners and assessors for the time being under the penalty of five hundred pounds.

[Section IV] (Section V, P. L.) And be it further enacted,

That the commissioners and assessors of the several counties shall be allowed twelve shillings for each day for their service aforesaid, and that the persons to be appointed for making and returning the lists of all the persons capable of bearing arms in each township or district, and the collectors of the fines if they are employed in another township than that in which they dwell, shall have such reasonable allowance for their extraordinary trouble as the county commissioners or the persons who shall act instead of the commissioners shall think proper, and ascertain over and besides the wages limited by the act to which this is a supplement.

Passed June 18, 1777. See the note to the Act of Assembly passed February 14, 1777, Chapter 742.

CHAPTER DCCLIX.

AN ACT TO RE-ESTABLISH THE ANCIENT CORPORATION OF THE BURGESSES AND INHABITANTS OF THE BOROUGH OF LANCASTER IN THE COUNTY OF LANCASTER.

(Section I, P. L.) Whereas the said corporation, deriving its existence and freedoms from the authority of the crown of Great Britain, became upon the declaration of the independence of this state from that crown immediately dissolved:

(Section II, P. L.) And whereas it has been made to appear to the legislature of this state that it would be most conducive to the good government of the said borough if its ancient frame might under the authority of the people be restored to them, and their officers who of course have discontinued themselves might be reinstated by the law of the land and have perpetual succession, so that the inhabitants of the said borough could go on with their local government in the same way as they used to do under the charter of the late King or the governor of Pennsylvania:

[Section I] Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of