

or any other person whom they shall appoint in the said city or counties respectively which shall so have neglected or refused, commanding the said sheriff, coroner or other person to whom the said writ or writs shall be directed to hold an election at certain times and places in the said writ or writs mentioned which said places shall be somewhere within the same county for which such election or elections shall be so held. And if it shall happen that a new election shall be ordered to be held for the city of Philadelphia and the same city shall be in the possession of the enemy, then the said election shall be appointed at some place within the county of Philadelphia, and the said representatives and other elective officers chosen at the said times and places shall be deemed and taken as the true and lawful representatives and other elective officers of the city or counties for which they shall be so respectively chosen or elected.

Passed October 11, 1777. See the note to the Act of Assembly passed January 21, 1777, Chapter 736.

CHAPTER DCCLXV.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT OBLIGING THE MALE WHITE INHABITANTS OF THIS STATE TO GIVE ASSURANCES OF ALLEGIANCE TO THE SAME AND FOR OTHER PURPOSES THEREIN MENTIONED." ¹

Whereas by an act entitled "An act obliging the male white inhabitants of this state to give assurances of allegiance to the same and for other purposes therein mentioned," ¹ it is enacted that all the male white inhabitants of this state above the age of eighteen years should take and subscribe the oath of affirmation therein directed:

And whereas it is nevertheless found upon experience that the said act does not fully answer all the good purposes by the same act intended:

¹ Passed June 13, 1777, Chapter 756.

Therefore:

[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 from and after the fifteenth day of this instant October every male white inhabitant of this state above the age of sixteen years who shall travel out of the city of Philadelphia or the respective county in which he commonly resides shall, upon information made upon oath or affirmation of one credible witness before any one justice of the peace of this state, be forthwith apprehended, and upon his refusal to take and subscribe the oath or affirmation of allegiance required by the said recited act, and also to give such further security of his allegiance as the said justice may require, shall be committed to any safe gaol of this state (at the discretion of the said justice), there to be kept without bail or mainprise until he take the oath or affirmation and give such further security as aforesaid.

[Section II] And be it further enacted by the authority aforesaid, That every male white inhabitant above the said age of sixteen years who may be suspected of being unfriendly to the freedom and independence of the United States, though such persons do not travel out of the city or county where they commonly reside, shall upon information on oath or affirmation of one or more witnesses to any justice of the peace within this state be forthwith under warrant brought before some one of the justices aforesaid, who shall tender to him or them the oath or affirmation aforesaid and demand such further or other security as to him shall seem reasonable, and upon refusal to take the oath or affirmation and give such security such person or persons shall be forthwith committed to any safe gaol of this state (at the discretion of the justice), there to remain without bail or mainprise until he or they take the oath or affirmation and give the security aforesaid and all reasonable costs accruing (of which the said justice shall be judge) shall be levied and recovered upon the goods and chattels of such suspected person in the same manner as debts under forty shillings are by law of this state directed to be recovered.

[Section III] Provided always nevertheless, That no person

or persons shall be admitted as security for such suspected person or persons unless he or they first produce a certificate of his or their having taken the oath or affirmation required by the said act to which this is a supplement anything in this act or in the act to which this is a supplement contained to the contrary thereof in any wise notwithstanding.

Passed October 12, 1777. See the note to the Act of Assembly passed June 13, 1777, Chapter 756. The act in the text was repealed by the Act of Assembly passed March 13, 1789, Chapter 1396.

CHAPTER DCCLXVI.

AN ACT FOR CONSTITUTING A COUNCIL OF SAFETY AND VESTING THE SAME WITH THE POWERS THEREIN MENTIONED.

Whereas the British troops have penetrated into this state, and after much devastation and great cruelty in their progress have seized the metropolis:

And whereas in times of such danger and confusion the ordinary powers of government cannot be regularly administered, more especially as the term for which the present legislative body of the commonwealth have been chosen will speedily expire whereby evil-minded persons may be encouraged by open or secret practices to assist the common enemy and further to distress the good people of this commonwealth; for prevention whereof it hath become necessary for a limited time to vest fit persons with summary and adequate powers to punish offenders and restrain abuses:

[Section I] Be it therefore 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 members of the supreme executive council of this state together with John Bayard, Jonathan Sergeant, Jonathan B. Smith, David Rittenhouse, Joseph Gardner, Robert Whitehill, Christopher Marshall, James Smith, of Yorktown, Jacob Orndt, Curtis Grubb, James Cannon and William Henry,