

hearing or trial of any cause depending in the court of admiralty, or before the said commissioner of oyer and terminer, but the same may be proceeded on as by the said act is directed before the judge appointed and commissioned in pursuance of this act, the repeal thereof notwithstanding.

Passed March 8, 1780. See the Acts of Assembly passed September 22, 1780, Chapter 915; March 28, 1787, Chapter 1281; September 29, 1787, Chapter 1322; December 7, 1789, Chapter 1474. By the Constitution of the United States, Article III, Section II, (I) the judicial power of the United States is declared to extend to all cases of admiralty and maritime jurisdictions. Recorded L. B. No. 1, p. 353, &c.

CHAPTER DCCCLXXXVIII.

AN ACT TO RESTORE AND ASCERTAIN THE VALUE OF DIVERS FINES, PENALTIES AND FORFEITURES HEREINAFTER MENTIONED, WHICH MAY BE INCURRED BY THE BREACH OF CERTAIN ACTS OF ASSEMBLY OF THIS COMMONWEALTH.

(Section I, P. L.) Whereas divers fines, penalties and forfeitures which are limited not to exceed certain sums, and the specific fines, penalties and forfeitures, which were heretofore as well before the revolution as since provided, directed and established in and by certain acts of assembly still in force, in order to secure the observance of the same have, by reason of the great variation and rise in the prices of commodities become generally uncertain and very inadequate to the purposes for which they were intended and ordained, whereby many good and wholesome laws have been enervated and have lost their proper vigor and effect, to the great injury of the sober and quiet citizens and to the dishonor of the commonwealth:

For remedy whereof:

[Section I.] (Section II, P. L.) 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 several and respective fines,

penalties and forfeitures aforesaid in all cases where the same are expressed and set in money, which shall be incurred by, imposed on or recovered against any person or persons in any court of record or in a summary way before any justice of the peace or otherwise, as well at the suit of the party grieved, and in an action qui tam as at the suit of the commonwealth, shall be estimated, computed, levied and satisfied after the manner by which the fees of certain officers of this state are or ought to be estimated, computed, levied and satisfied, in pursuance of an act of assembly of this commonwealth, entitled "An act for the better support of certain officers of this state, and for ascertaining the specific fines and penalties which they may incur by neglect of duty,"¹ passed on the twenty-seventh day of November last, subject, however, to the rules and directions following, That is to say: every such fine, penalty of forfeiture which shall be incurred, imposed or recovered as aforesaid, by virtue of any act of assembly which was made in the late province of Pennsylvania and has been revived since the revolution, and re-enacted by the legislature of this commonwealth shall be estimated as aforesaid as set in money of the value of good merchantable wheat, at the price of ten shillings per bushel. The fines and penalties aforesaid directed and ordained in and by an act of assembly of this commonwealth passed on the twentieth day of February, Anno Domini one thousand seven hundred and seventy-seven, entitled "An act to discourage desertion, and to punish all such as shall harbor or conceal deserters,"² shall be estimated as aforesaid, as set in money of the value of good merchantable wheat at the price of ten shillings per bushel. The fines and penalties aforesaid directed and ordained in and by an act of assembly of this commonwealth passed on the fourteenth day of June, Anno Domini one thousand seven hundred and seventy-seven, entitled "A supplement to the act, entitled 'An act for amending the several acts of assembly for electing members of assembly,'"³ shall be estimated, as aforesaid, as set in money of the price of good merchantable wheat at twelve shillings per bushel. The pen-

¹ Chapter 875.

² Chapter 744.

³ Chapter 757.

alty of fifty pounds directed to be imposed on any person not belonging to the regiments of this state for enlisting soldiers within the same by an act passed on the second day of January, Anno Domini one thousand seven hundred and seventy-eight, entitled "An act to prevent the imprisonment of soldiers for small sums and also to prevent the enlistment of soldiers within the bounds of the commonwealth of Pennsylvania by the officers of other states until the quota of this state shall be completed,"¹ shall be estimated as aforesaid as set in money of the price of good merchantable wheat at fifteen shillings per bushel. The penalty of twenty pounds directed to be imposed on judges of election neglecting to give notice of their election to persons chosen to serve in the supreme executive council or general assembly by an act passed on the twenty-third day of March, Anno Domini one thousand seven hundred and seventy-eight, entitled "A further supplement to an act, entitled 'An act for amending the several acts for electing members of assembly,'"² shall be estimated as aforesaid, as set in money of the price of good merchantable wheat at twenty shillings per bushel. The forfeiture of one hundred pounds, to be imposed on the master of a ship or vessel for not exhibiting a manifest of the cargo of such ship or vessel by an act passed on the tenth day of September, Anno Domini one thousand seven hundred and seventy-eight, entitled "An act for regulating navigation and trade in this state,"³ shall be estimated as aforesaid as set in money of the price of good merchantable wheat at thirty shillings per bushel. The specific forfeitures of money to be incurred for the offenses forbidden in and by an act passed on the thirtieth day of March, Anno Domini one thousand seven hundred and seventy-nine, entitled "An act for the suppression of vice and immorality,"⁴ shall be estimated as aforesaid as set in money of the price of good merchantable wheat at thirty shillings per bushel. And the forfeitures upon chimney sweepers and housekeepers offending against the act of assembly passed on the twenty-fifth day of

¹ Chapter 777.

² Chapter 790.

³ Chapter 815.

⁴ Chapter 833.

November last, entitled "An act for regulating chimney sweepers within the city of Philadelphia, the district of Southwark and the township of the Northern Liberties of the city of Philadelphia,"¹ shall be estimated as aforesaid, as set in money, of the price of good merchantable wheat at one hundred shillings per bushel.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That so much of an act of assembly passed on the thirtieth day of September, Anno Domini one thousand seven hundred and seventy-nine, entitled "A supplement to an act, entitled 'An act for regulating, pitching, paving and cleansing the highways, streets, lanes and alleys and for regulating, making and amending the water courses and common sewers within the inhabited and settled parts of the city of Philadelphia, for raising of money to defray the expenses thereof, and for other purposes therein mentioned,'"² and so much of another act of assembly passed on the same day, entitled "An act to continue an act, entitled 'An act for opening and better amending and keeping in repair the public roads and highways in this province,'"³ as relate to fines and forfeitures shall be and hereby are repealed and made void.

(Section IV, P. L.) And whereas by the invasion of this state by the enemy in the years one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight the trustees of the loan office of this state became separated and dispersed, and discharges of mortgages were made by one trustee only:

[Section III.] (Section V, P. L.) Be it therefore enacted by the authority aforesaid, That all and every discharge or discharges of any mortgage or mortgages which have been made by one trustee as aforesaid, or which shall hereafter be made by one trustee to be appointed by the house of assembly shall be taken and held to be good and valid, anything in any law to the contrary notwithstanding.

Passed March 8, 1780. See the Act of Assembly passed June 21, 1781, Chapter 945. Recorded L. B. No. 1, p. 358, &c.

¹ Chapter 867.

² Chapter 849.

³ Chapter 850.