

their duty and interest to afford every assistance and support to any power who shall prosecute the war in America in conjunction with these United States:

Therefore:

[Section VIII.] (Section XV, P. L.) Be it enacted by the authority aforesaid, That any person or persons who shall promote or encourage desertion or harbor or conceal any deserter from the fleets or armies of any power who shall prosecute the war in America in conjunction with these states, shall be subject to the like fines and penalties as are by the laws now in being of this commonwealth inflicted on persons for promoting or encouraging desertion or harboring or concealing deserters from the army of the United States.

[Section IX.] (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That any person or persons who shall apprehend and secure any deserter from any of the fleets or armies of any power who shall, in conjunction with these states, prosecute the war in America, shall be entitled to the like reward as is allowed to persons apprehending and securing deserters from the army of the United States.

Passed June 1, 1780. See the notes to the Acts of Assembly passed March 5, 1725-26, Chapter 289; December 19, 1780, Chapter 921; June 21, 1781, Chapter 945; January 31, 1783, Chapter 1008; March 17, 1786, Chapter 1212; March 22, 1788, Chapter 1340; November 22, 1788, Chapter 1384. Recorded L. B. No. 1, p. 394, &c.

CHAPTER CMXIII.

AN ACT FOR PROCURING AN IMMEDIATE SUPPLY OF PROVISIONS FOR THE FEDERAL ARMY, IN ITS PRESENT EXIGENCY.

(Section I, P. L.) Whereas, the resolutions of the honorable Congress of the United States lately passed for the supply of the federal army, have not yet been fully executed, and it is indispensably necessary that extraordinary exertions should be made at this time without regard to specific quantities or

specific articles as required by Congress; this state, therefore, ever desirous to manifest its zeal in the common cause, being now specially called upon by the honorable Congress to furnish a supply of meat, hath resolved to comply therewith to the utmost of its ability:

To this end, therefore:

[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 it shall and may be lawful for the president or vice-president in council from time to time to appoint such and so many diligent, honest inhabitants of this state as they shall deem necessary as commissioners to procure meat at the most reasonable rates for the army, and the said commissioners shall severally transport the same to such place or places within this state as the supreme executive council shall direct, there to be delivered to the commissary general of purchases for the army, his deputies or agents, taking from the said commissary or agent his certificate therefor, expressing particularly the number, quantity and quality of the same, together with his receipt for the value thereof as paid by the said commissioner, which account, together with the charges thereon, the said commissioner shall deliver to the commissary on oath or affirmation if required.

[Section II.] (Section III, P. L.) Be it also enacted, That all cattle, sheep or salted provisions shall be subject to be seized by the commissioners appointed by virtue of this act, or either of them, his or their deputies or agents, to and for the use of the said army, the person taking and seizing the same paying therefor at such rates as shall be fixed by two indifferent freeholders of the neighborhood, one to be appointed by the commissioner or his deputy or agent, and the other by the owner of such cattle, sheep or salted provisions and in case such owner shall refuse to appoint such appraiser, then the said commissioner, his agent or deputy shall and he is hereby authorized and empowered to fix the price and pay the same, or give a certificate therefor as is hereafter mentioned.

(Section IV, P. L.) Provided always, That if any person

whose cattle, sheep or meat shall be so seized or taken, shall make oath or affirmation that such cattle, sheep or salted provisions are necessary for the private use of the possessor and his family or for sale by retail as a butcher [or for the necessary use of the master and mariners of any ship or vessel outward bound] then and in such case, upon a true copy of the said oath or affirmation being served on the person so seizing the said cattle, sheep or salted provisions, the same shall be discharged from such seizure.

[Section III.] (Section V, P. L.) Be it also enacted by the authority aforesaid, That the said persons so appointed shall severally at least once in every month make returns to the president or vice-president in council of the quantities of meat by them respectively purchased or seized, the price paid for the same and of the quantities delivered to the commissary general, his deputies or assistants, specifying the names of the persons to whom the same were respectively delivered, the prices thereof and the place or places where the said meat was procured, under the penalty of forfeiting his commission or allowance for the said service.

And to the intent that both purchaser and seller may be assured of the price and certainty of payment for all cattle, sheep or salted provisions procured by virtue of this act:

[Section IV.] (Section VI, P. L.) Be it enacted by the authority aforesaid, That all voluntary sellers of the said enumerated articles to the said persons so appointed, shall be entitled to the current prices therefor; the said sale and price to be certified by the said purchaser under his hand, which said certificate shall be and is hereby declared to be good and effectual in the payment of all state taxes for the money therein expressed, and the several collectors of taxes within this state are hereby enjoined and required to receive the said certificates in payment.

(Section VII, P. L.) Provided always, That such certificate be not transferrable to any other person, but available only to the person whose name shall be expressed therein, and if the amount of such certificate shall exceed the tax for which it shall be tendered in payment, then the collector, upon such person

producing the same shall indorse the allowance made thereupon as so much of the said certificate paid and shall keep an exact register of the names of the persons and the amount of the sums so indorsed in credit as aforesaid, a copy whereof he shall deliver to the county treasurer as his voucher, but if the said certificate shall not exceed the tax demanded the collector shall take up the same, crediting the tax as aforesaid and returning such certificate to the county treasurer.

[Section V.] (Section VIII, P. L.) Be it also enacted by the authority aforesaid, That the faith and honor of the state be and it is hereby pledged for the faithful and just payment of such of the said certificates as shall not be paid in for taxes as aforesaid, together with lawful interest thereon at the rate of six per centum, on or before the first day of March next.

(Section IX, P. L.) And whereas, the spirited exertions of individuals in such an exigency deserve the utmost encouragement, and there is reason to believe that many faithful friends to their country will, if duly secured against loss or damage (as it is reasonable they should be) furnish the said persons so appointed with cattle, sheep or salted provisions procured by their personal credit and influence.

[Section VI.] (Section X, P. L.) Be it, therefore, enacted, That any person so delivering to the person so appointed any number of cattle not less than five or sheep not less than twenty, shall be entitled to an order on the president or vice-president in council for the full amount of the price thereof, together with all reasonable charges attending the said service as the same shall be settled by the commissioners.

[Section VII.] (Section XI, P. L.) Be it also enacted by the authority aforesaid, That if any person or persons shall oppose the persons appointed by virtue of this act in the execution of the several duties herein assigned them, such person or persons shall be and they are hereby declared, on conviction in due course of law, to be liable to the penalty of two thousand pounds, to be levied on their goods and chattels, lands and tenements or, in case no such effects can be found, to imprisonment without bail or mainprise for the space of six months, and also to such pains and penalties as are by law inflicted in

case of resistance to any sheriff or known officer in the execution of their offices respectively.

[Section VIII.] (Section XII, P. L.) Be it also enacted, That it shall and may be lawful for the president or vice-president in council to make such allowance as may be necessary to the officers in and by this act appointed; and in case of any doubt or difficulty arising in the execution thereof the same shall be referred to the supreme executive council, whose determination in all matters not specially provided for herein shall be directory and conclusive.

[Section IX.] (Section XIII, P. L.) Be it also enacted, That it shall and may be lawful for the president or vice-president in council, by proclamation, to suspend the several powers and authorities herein granted if the circumstances of the federal army shall, in their judgment, admit thereof.

[Section X.] (Section XIV, P. L.) Be it also enacted, That this act shall be and remain in full force and virtue, unless suspended as aforesaid, until the end of the next sitting of the general assembly, and no longer.

Passed June 1, 1780. See the note to the Act of Assembly passed January 2, 1778, Chapter 782, and the Act of Assembly passed December 4, 1789, Chapter 1470. Recorded L. B. No. 1, p. 397, &c.