

penalty of twenty per centum for the sum so neglected to be paid, to be recovered in an action brought for the same. Provided always, That persons legally authorized shall appear and make demand thereof agreeable to the mode prescribed by the act to which this is a supplement.

[Section VIII.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That in case any vessels, goods, wares or merchandise so as aforesaid sold by the marshal shall not be paid for by the purchaser within three days after the sale thereof, that then the said marshall shall or may again expose such vessels, goods, wares or merchandise to public auction for the account of the captors, and having disposed of them for money, shall and may recover against the first purchaser all loss whatsoever which may arise on such second sale, together with costs, damages and charges, in any court of common pleas within this commonwealth.

[Section IX.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That all other parts of the act of assembly before recited, and to which this is a supplement, not hereby altered or supplied, shall remain, continue and be in full force and virtue.

Passed September 22, 1780. See the note to the Act of Assembly passed March 8, 1780, Chapter 887, and the Act of Assembly passed March 28, 1787, Chapter 1281. Recorded L. B. No. 1, p. 399, &c.

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## CHAPTER CMXVI.

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A SUPPLEMENT TO THE ACT ENTITLED "AN ACT FOR THE REGULATION OF THE MILITIA OF THE COMMONWEALTH OF PENNSYLVANIA."<sup>1</sup>

(Section I, P. L.) Whereas, the mode of determining the bounty of the militia while in actual service by the justices of the several courts of quarter sessions, as directed by the act above mentioned, has been found on experience inconvenient

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<sup>1</sup> Passed March 20, 1780, Chapter 902.

and unequal, inasmuch as persons rendering the same services, bearing equal hardships and exposed to equal danger are partially and unequally compensated, thereby creating discontents and distinctions prejudicial to this important and necessary service:

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 average price of common labor by the day in the city of Philadelphia and counties of this state, respectively, shall be inquired into, ascertained and fixed by the representatives of the freemen of the commonwealth of Pennsylvania in general assembly met, which price so fixed and determined shall be the rate by which all fines and penalties for neglect of militia duty and the bounty of the militia shall be estimated and determined, during and from that time to the end of the next sitting of general assembly, and so from time to time at every succeeding session.

(Section III, P. L.) Provided always, That this act or anything herein contained shall not be construed to alter, mitigate or discharge any fine or penalty already accrued or which may hereafter accrue before the said rate shall be determined and fixed by the general assembly as aforesaid, but that all and singular the powers and authority of the quarter sessions as given by the said act shall continue until the said rate shall be fixed by the general assembly, and no longer.

(Section IV, P. L.) And whereas sundry former lieutenants and sub-lieutenants who have acted under the late militia law have refused or neglected to deliver up the duplicates, books and papers belonging to their offices, whereby the fines and penalties accrued for former delinquencies still remain uncollected to the great discouragement of those who have rendered their personal service in time of danger and to the injury of the public:

For remedy whereof:

[Section II.] (Section V, P. L.) Be it enacted by the authority aforesaid, That if any persons who may have acted in

the office of lieutenant or sub-lieutenant of the city of Philadelphia or any of the counties of this state shall, upon the resignation of his office, or being legally superceded therein, refuse to deliver [up] to his successor in office or to any person who is or shall be appointed by the president or vice-president in council to receive the same, all and singular the books, duplicates, returns or other papers belonging to or [in use] in the said office, demand being first made thereof in writing, he or they so offending shall forfeit the sum of ten thousand pounds and the necessary costs of prosecution for every such refusal, to be recovered by his said successor in office or other person duly authorized as aforesaid upon indictment, bill, plaint or information or by action of debt in any court of record within this state, to be applied as other militia fines are directed by the law to which this is a supplement, and in case of a second refusal such person shall suffer as well the said penalty as the further punishment of six months' imprisonment without bail or mainprise, and the justices of the court where such penalty shall be recovered shall order the said commitment accordingly.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That so much and such parts of the law to which this is a supplement as are by this act altered and amended be and are hereby repealed and declared null and void.

Passed September 22, 1780. See the note to the Act of Assembly passed March 20, 1780, Chapter 902. The Act in the text was repealed by the Act of Assembly passed March 21, 1783, Chapter 1022. Recorded L. B. No. 1, p. 401, &c.

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## CHAPTER CMXVII.

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AN ACT TO REVIVE AND CONTINUE FOR A FURTHER LIMITED TIME  
THE ACT FOR LAYING AN EMBARGO ON THE EXPORTATION OF  
PROVISIONS FROM THIS STATE BY SEA, FOR A LIMITED TIME.

(Section I, P. L.) Whereas, an act, entitled "An act for laying an embargo on the exportation of provisions from this state,