

authority aforesaid, That nothing in this act shall be extended to prevent the receiving the bills of credit emitted in consequence of the resolution of Congress of the eighteenth of March, one thousand seven hundred and eighty, in taxes to be laid in pursuance of an act of general assembly of this state, entitled "A supplement to an act, entitled 'An act for funding and redeeming the bills of credit of the United States of America, and for providing means to bring the present war to a happy conclusion,'"<sup>1</sup> passed the nineteenth day of December, one thousand seven hundred and eighty.

Passed June 21, 1781. Recorded L. B. No. 1, p. 442, etc. See the Act of Assembly passed March 12, 1783, Chapter 1008.

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## CHAPTER CMLXVI.

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### AN ACT FOR RECRUITING THE PENNSYLVANIA LINE IN THE ARMY OF THE UNITED STATES.

(Section I, P. L.) Whereas, the frequent calling forth the militia of this state is attended with great expense and loss of time, to prevent which in future as much as may be:

[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 there shall, with all convenient speed, be enlisted within this state two thousand seven hundred able bodied men, to serve in the Pennsylvania line for the term of eighteen months from the first day of July next, who shall be raised and procured by or at the expense of the inhabitants of the city of Philadelphia and the several counties of this state, in number and according to the proportion following: That is to say: By the city and county of Philadelphia, eight hundred and ninety-five; the county of Bucks, one hundred and seventy-seven; the county of Chester, two hundred and eighty-four; the county of Lancaster, three hundred and eighty-

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<sup>1</sup> Passed December 19, 1780, Chapter 921.

four; the county of York, two hundred and fourteen; the county of Cumberland, two hundred and two; the county of Berks, one hundred and ninety-three; the county of Northampton, one hundred and twelve; the county of Bedford, sixty-one; the county of Northumberland, seventy-five, and the counties of Westmoreland and Washington, one hundred and three.

[Section II.] (Section III, P. L.) And be it enacted by the authority aforesaid, That the commissioners of the city and several counties of this state, respectively, or any two of them, shall forthwith transmit to the several classes, classed by virtue of an act of the assembly of this state, entitled "An act to complete the quota of the federal army assigned to this state," passed the twenty-third day of December, one thousand seven hundred and eighty,<sup>1</sup> by persons to be by them appointed for that service, an order in writing, under their hands, with a duplicate annexed, containing the names of each and every person composing such class, requiring each of the said classes to enlist for the term of eighteen months, as aforesaid, and deliver to the proper officer one able-bodied recruit within fifteen days thereafter.

[Section III.] (Section IV, P. L.) And be it enacted by the authority aforesaid, That if any class or classes shall neglect or refuse to enlist one able-bodied recruit as aforesaid, within the time limited and directed, or to make return thereof to the assessor of the proper township, ward or district, it shall and may be lawful for the said commissioners, or township, ward or district assessors, or any of them, and they are hereby authorized and required to enlist for the term aforesaid and deliver to the proper officer one able-bodied recruit in behalf of such class or classes respectively; and that it shall and may be lawful for the said commissioners, township, ward or district assessors, or either of them, where such neglect or refusal shall happen, to proceed and levy, in the manner directed by the laws now in force for levying and collecting other public taxes, on the class or classes so neglecting or refusing, the sum agreed to be paid by the said commissioners, township, ward or district assessors, or any of them, to the said recruit, and the reasonable

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<sup>1</sup> Passed December 23, 1780, Chapter 926.

expenses accruing thereupon, in proper proportions, according to the last public tax levied therein, which they are hereby enjoined and directed to do within two days after such recruit shall be enlisted.

(Section V, P. L.) And whereas, it may happen that a number of the said classes may prove delinquent and recruits may not be procured immediately to supply the deficiency:

[Section IV.] (Section VI, P. L.) Be it therefore enacted by the authority aforesaid, That the commissioners of the several counties, respectively, shall provide and keep a book in which they shall enter, in numerical order, the several delinquent classes as they shall be returned to them, and shall enlist recruits for [the] said delinquent classes according to their respective numbers, and in like manner levy and collect the sums imposed upon them, respectively, by this act.

(Section VII, P. L.) And whereas great injustice may be done and unnecessary expense may be occasioned to the delinquent classes by the commissioners and assessors giving high and extravagant sums of money for recruits in their behalf:

[Section V.] (Section VIII, P. L.) Be it therefore enacted by the authority aforesaid, That each and every commissioner and assessor shall, before he enters on the duties required of him by this act, take the following oath or affirmation, viz.:

I, A. B., do swear (or solemnly, sincerely and truly declare and affirm) that in executing the duties required of me by the act, entitled "An act for recruiting the Pennsylvania line in the army of the United States," I will grieve no person or class (as therein mentioned) through hatred or ill-will, but to the best of my judgment and abilities will procure recruits or cause the same to be procured for delinquent classes on the cheapest and best terms in my power.

[Section VI.] (Section IX, P. L.) And be it enacted by the authority aforesaid, That any person who, in pursuance of this act, shall enlist and deliver to the proper officer one able-bodied recruit shall be exempted from all militia duty for and during the time of such enlistment.

[Section VII.] (Section X, P. L.) And be it enacted by the authority aforesaid, That every recruit so enlisted and entered

into the Pennsylvania line, shall receive the same pay, clothing and rations as the troops of this state in the service of the United States, and also half pay during life if disabled in the service.

[Section VIII.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That where any class or person therein shall furnish such recruit in behalf of such class, and any dispute may arise about the sum or sums of money which any person [or persons] therein should or ought to pay towards the enlistment of such recruit, or shall neglect or refuse to pay their proportion thereof, the same shall be adjusted, collected and paid in the manner directed in the foregoing clause for the levying, collecting and paying the expenses of enlistment, in cases where the classes have neglected or refused.

[Section IX.] (Section XII, P. L.) And be it enacted by the authority aforesaid, That the supreme executive council and the commanding officer of the Pennsylvania line be and they are hereby authorized and empowered to appoint officers of the said line in each county, for the purpose of inspecting and taking such recruits in charge that shall be enlisted in pursuance of this act.

[Section X.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That every recruit enlisted for any class shall be attested before the next or some justice of the peace, if accepted by the proper officer, shall, by one of the said classes, be delivered to the nearest officer appointed for that purpose, who, upon the receipt of such recruit and certificate from the said justice of the peace of his having been attested as above, shall give a receipt in favor of such class for said recruit.

[Section XI.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That all moneys paid by executors, guardians or others, in legal trust, in right of another, in pursuance of this act, shall be allowed in their accounts at the time of the settlement thereof.

[Section XII.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That any county commissioner herein required to perform certain duties and neglecting or re-

fusing so to do, according to the true intent and meaning of this act (except in case of sickness or removal) shall be fined by the supreme executive council of this state in any sum not exceeding five hundred pounds in specie. And any assessor, collector or other person required, in pursuance of this act, to perform any duty and neglecting or refusing to perform the same (except as above excepted), shall be fined in any sum not exceeding fifty pounds specie, by the commissioners of the city or any of the counties of this state, or any two of them, where the offense may happen, who shall appoint another or others in their stead.

And whereas, it may happen that a part or the whole of the property in some of the said classes may not have any person in the occupation or possession thereof or resident thereon to represent it:

[Section XIII.] (Section XVII, P. L.) Be it therefore enacted by the authority aforesaid, That the collector of the township, ward or district wherein such property may be found shall give speedy information thereof to the commissioners of the county, who shall, without delay, publish, or cause to be published, in some of the newspapers printed in the city of Philadelphia, for three weeks successively an account of all property so circumstanced in their said county, and of the sum or sums of money chargeable thereon, requiring the owner or owners to make payment thereof to the proper person at or before the expiration of two months from the date of such publication; and on failure of such payment at the expiration of such term, the commissioners of the proper county, or any two of them, may and they are hereby authorized, empowered and required to expose such property, or as much thereof as may be necessary, to pay such sum or sums of money, with reasonable costs, to sale at public auction and after due and public notice given of such intended sale for at least ten days, to sell the same to the highest and best bidder; and the said commissioners, or any two of them, shall convey any houses, lands or tenements so sold to the purchaser or purchasers thereof in fee simple, or for such estate as the delinquent owner thereof held the same, which shall be good and valid in law; and the

said commissioners, after deducting the sum or sums of money aforesaid and the reasonable costs, shall return and pay the overplus of the consideration money, if any, to the owner or owners when thereunto required.

[Section XIV.] (Section XVIII, P. L.) And be it further enacted by the authority aforesaid, That all tenants in possession shall be accountable for and pay any sum or sums of money charged by virtue of this act on the lands in his or her possession, and may discount the same out of his or her rent; and in case one year's rent should prove insufficient to defray the same, the said lands shall be liable for the sums charged thereon, and the same, or such parts thereof as may be sufficient, may be sold therefor in the manner prescribed in the foregoing clause.

[Section XV.] (Section XIX, P. L.) And be it further enacted by the authority aforesaid, That the persons to be appointed by the commissioners of the city and several counties to transmit and deliver to the several classes their order, with the duplicate hereinbefore mentioned, shall be paid such reasonable rewards, respectively, for that service as shall be agreed for by the said commissioners.

Passed June 25, 1781. Recorded L. B. No. 1, p. 446, etc. See the Act of Assembly passed September 29, 1781, Chapter 951.

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## CHAPTER CMXLVII.

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A SUPPLEMENT TO AN ACT ENTITLED "AN ACT FOR ESTABLISHING A LAND OFFICE AND FOR OTHER PURPOSES THEREIN MENTIONED."<sup>1</sup>

(Section I, P. L.) Whereas, it appears necessary to explain certain parts of the act, entitled "An act for establishing a land office and for other purposes therein mentioned,"<sup>1</sup> and to make some amendments thereto:

Therefore:

[Section I.] (Section II, P. L.) Be it enacted and it is hereby

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<sup>1</sup>Passed April 9, 1781, Chapter 940.