

For every copy of account, or other transcript from the books, one penny per line.

For office seal and certificate, two shillings and six pence.

For final settlement, calculation, closing the account, receiving the money, and giving a receipt, including necessary searches, seventeen shillings and six pence.

For a certificate to the supreme executive council of moneys paid previous to the execution of a patent, two shillings and six pence.

Which said fees shall be in full of all dues or demands by him to be made, in any cases whatsoever.

(Section VII, P. L.) And the aforesaid sixth, seventh and ninth sections of the law aforesaid, so far as respect the periods and times in the same respectively mentioned, and no further, are hereby altered and repealed.

Passed April 5, 1782. Recorded L. B. No. 1, p. 482, etc. See the Acts of Assembly passed April 1, 1784, Chapter 1094; September 16, 1785, Chapter 1180; January 8, 1791, Chapter 1522.

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## CHAPTER CMLXV.

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### AN ACT FOR GUARDING AND DEFENDING THE NAVIGATION IN THE BAY AND RIVER DELAWARE, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas, the trade of this state hath of late been much annoyed by the privateers and boats of the enemy cruising in Delaware bay, and the neighborhood thereof, whereby many vessels have been captured, as well of those going out and returning from sea, as of the bay and river craft plying between the city of Philadelphia and the states of New Jersey and Delaware, to the great loss of many individuals, and the manifest injury of the trade of this commonwealth:

(Section II, P. L.) And whereas, it is expedient and necessary that an armed force should be provided and supported, to protect and facilitate commerce by guarding and defending the

navigation in the said bay and river, and the neighborhood thereof, and that suitable funds should be appropriated for the expense thereof:

[Section I.] (Section III, P. L.) Be it enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That John Patton, Francis Gurney [and] William Allibone be appointed commissioners to purchase, or otherwise procure, equip, man and to arm, furnish, support and manage such suitable vessel or vessels, as to them shall seem proper and fitting for the protection and defense of the navigation in and near the said bay and river; which armament, or such part thereof as they shall think necessary, shall be continued and kept in service for so long a time, during the present war, as they shall think necessary or till otherwise directed by the general assembly.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall report to the supreme executive council every such vessel or vessels as they shall have so purchased or procured and equipped for the service aforesaid, and the supreme executive council are hereby authorized and directed to appoint and commission the proper officers for such vessel or vessels.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That each and every of the said commissioners shall, before he enters upon the duties of his appointment, take the following oath or affirmation of office, to wit:

I, A. B., do swear or affirm that I will well and truly execute and perform the several duties enjoined and prescribed by the act, entitled "An act for guarding and defending the navigation in the bay and river Delaware, and for other purposes therein mentioned."

[Section IV.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall, as often as they shall be ordered and directed by the supreme executive council, lay before the said executive council a state of their proceedings in the execution of their office, and also

an account of their receipts and expenditures, accompanied with suitable documents and vouchers.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the moneys arising from the tonnage on vessels, by virtue of an act, entitled "An act appointing wardens for the port of Philadelphia, and for other purposes therein mentioned,"<sup>1</sup> passed the twenty-sixth day of February, in the year one thousand seven hundred and seventy-three, except so much thereof as shall be necessary for the purposes mentioned in the said act, to be ascertained from time to time by the supreme executive council, and the moneys which have arisen since the twenty-third day of March last, and which shall hereafter arise from the duties collected and to be collected by virtue of an act, entitled "An act for an impost on goods, wares and merchandise imported into this state,"<sup>2</sup> passed the twenty-third day of December, one thousand seven hundred and eighty, be and they are hereby declared to be appropriated for and towards a fund for defraying the expense of procuring and maintaining such armament aforesaid, and shall continue to be applied to that purpose, and to no other, any former appropriation thereof notwithstanding, for so long a time as the said commissioners shall think proper to continue such armament, or fill otherwise directed by the general assembly, and until the expense thereof and the debts which shall have been contracted therefor shall be fully paid and satisfied out of the same, together with such other funds as are or shall be appropriated to that purpose.

(Section VIII, P. L.) And whereas, the funds hereinbefore mentioned may be insufficient to enable the said commissioners to raise the sum necessary to provide the said armament so speedily as may be requisite, and the merchants and traders have signified their willingness to submit to a further impost on the importation of goods for this salutary purpose:

[Section VI.] Be it enacted by the authority aforesaid, That from and after the passing of this act there shall be raised, collected and paid, upon all goods, wares and merchandise im-

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<sup>1</sup> Passed February 26, 1773, Chapter 671.

<sup>2</sup> Passed December 23, 1780, Chapter 925.

ported into this state (except on common salt, saltpetre, gunpowder, lead, shot, prize goods brought in for condemnation and goods, wares and merchandise of the growth, produce and manufacture of any of the United States of America), in addition to and besides the duties or imposts made payable by the aforesaid act, entitled "An act for an impost on goods, wares and merchandise, imported into this state,"<sup>1</sup> passed the twenty-third day of December, one thousand seven hundred and eighty, a further impost or duty, equal to the impost or duty in the said act mentioned and directed to be received. That is to say, upon every gallon of rum, brandy, and other spirituous liquors, two pence; upon every gallon of Madeira wine, four pence; upon every gallon of other wine, two pence, upon all wines in bottles, six pence per dozen bottles; upon every hundred weight of unrefined sugar, one shilling; upon every hundred weight of loaf sugar, one shilling and six pence; upon every gallon of molasses, one penny; upon every hundred weight of coffee, one shilling; upon every pound of green tea, six pence; upon every pound of Bohea and other tea, one penny; upon all other goods and merchandise (except as before excepted), one per centum upon the value thereof, to be ascertained as in and by the said act is mentioned and directed.

(Section IX, P. L.) And to the end that [the] additional duties hereby imposed may be duly collected and paid:

[Section VII.] Be it further enacted and declared, That all the powers and authorities, and the penalties, regulations and directions, given and expressed in and by the said act, entitled "An act for an impost on goods, wares and merchandise, imported into this state,"<sup>1</sup> shall be and they are hereby extended and made applicable to the collection of the further duties hereby imposed, as fully and amply to all intents and purposes as if the same was herein repeated and enumerated.

[Section VIII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said commissioners to procure on loan such sum and sums of money as they shall find necessary (not exceeding in the

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<sup>1</sup> Passed December 23, 1780, Chapter 925.

whole twenty-five thousand pounds) to be repaid with interest, out of the produce of the said funds, and the commissioners are hereby authorized to draw, from time to time, as they shall find occasion out of the hands of the collectors, the moneys arising from the duties herein appropriated, and to apply the same to the repayment of the moneys so borrowed, or to such other purposes within the meaning of this act as they shall think expedient, and the collector of the said duties is hereby directed to make payment as aforesaid to the said commissioners, the directions contained in any former act or acts to the contrary notwithstanding.

(Section XI, P. L.) And in order to enable the said commissioners to borrow or procure upon loan such sum or sums of money as may be necessary for carrying into execution the service herein directed:

[Section IX.] Be it further enacted by the authority aforesaid, That all and every contract which they shall find it [necessary to make] for that purpose shall be and is declared to be hereby fully ratified and confirmed, and that the funds hereinbefore assigned shall be mortgaged and pledged for the repayment of all such moneys so to be borrowed and expended, until the whole shall be fully paid.

(Section XII, P. L.) Provided nevertheless, That no premium or interest shall be allowed for any such moneys which shall amount to above six per centum per annum.

[Section X.] (Section XIII, P. L.) Provided also, and be it further enacted by the authority aforesaid, That the additional duties hereby imposed and laid shall continue no longer than, in conjunction with the other duties hereby appropriated, they shall produce a sufficient sum to discharge the loan hereinbefore mentioned and specified.

(Section XIV, P. L.) And whereas, it is proper to ascertain what proportion of the prize money which may arise from captures which may be made by the said armament, or any part thereof, shall be given to the officers, mariners and marines employed therein:

[Section XI.] Be it enacted by the authority aforesaid, That there shall be reserved to the use of the state one-half the

net proceeds of the prize money which shall arise from captures made by the said armament, or any part thereof, of all vessels, goods and condemnable articles, except the body, tackle, apparel, furniture and appurtenances of cruising vessels, not being merchant vessels; and that the residue of the prize money arising from such captures as are not included in the said exception, together with the whole of the net proceeds of such prizes as come within the said exception, shall be paid to the officers, mariners, marines and others employed in actual service in the said armament, in such proportions as shall, from time to time, be agreed upon by the articles of agreement made between the agents or commissioners for conducting and managing the said armament and the said officers, mariners and marines.

Passed April 9, 1782. Recorded L. B. No. 1, p. 479, etc. See the Acts of Assembly passed April 15, 1782, Chapter 984; November 22, 1782, Chapter 998. The Act in the text was repealed by the Act of Assembly passed September 17, 1783, Chapter 1032.

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## CHAPTER CMLXVI.

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### A SUPPLEMENT TO AN ACT ENTITLED "AN ACT FOR ESTABLISHING COURTS OF JUDICATURE IN THIS PROVINCE." <sup>1</sup>

(Section I, P. L.) Whereas, by an act of general assembly of the late province of Pennsylvania, now in force within this commonwealth, entitled "An act for establishing courts of judicature in this province," <sup>1</sup> it is provided "that if any defendant or defendants in any suit or action, by reason of his or their sudden departure out of this province, shall require a more speedy determination in such action or suit than can be obtained by the common or ordinary rules of proceedings in any of the courts of common pleas in this province, the justices, upon application to them made, shall grant to such defendant or defendants, special courts and shall proceed to hear and

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<sup>1</sup> Passed May 22, 1722, Chapter 255.