

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 The Act in the text was repealed by the Act of Assembly passed September 17, 1783, Chapter 1032.

CHAPTER CMLXVI.

A SUPPLEMENT TO AN ACT ENTITLED "AN ACT FOR ESTABLISHING COURTS OF JUDICATURE IN THIS PROVINCE." ¹

(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," ¹ 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

¹ Passed May 22, 1722, Chapter 255.

determine the premises according to the course and practice of the said courts of common pleas and for the usual fees therein taken:"

(Section II, P. L.) And whereas, it is but just and reasonable that any plaintiff or plaintiffs in any suit or action who is or are about to depart out of this commonwealth should be entitled to the like speedy relief with any such defendant or defendants, more especially since the late revolution, which hath induced many foreigners to come into this commonwealth on the business of commerce and other lawful occasions, and who may have received injuries against which they cannot, by the laws now in force, obtain that speedy relief which the nature of their respective cases and the exigencies of their affairs may require:

(Section III, P. L.) For remedy whereof and for the better securing speedy and ample justice to all such person and persons:

[Section I.] 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 if any plaintiff or plaintiffs, defendant or defendants, in any suit or action that may at any time or times hereafter be depending in the supreme court, or in any of the courts of common pleas within this commonwealth, for debts contracted after the passing of this act, by reason of his or their sudden departure therefrom shall require a more speedy determination in such suit or action than can be obtained by the common or ordinary rules of proceedings in the said courts, the justices of the said supreme court and of the said courts of common pleas, respectively, shall, on application to them made for that purpose, and upon giving security for costs, if required, grant to such plaintiff or plaintiffs, special courts and shall, without the usual imparlances, proceed to hear and determine the premises according to the course and practice of the said courts, respectively, and for the usual and customary fees therein taken.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the provision made for the speedy

relief of such defendant or defendants as in and by the said-recited act is or are mentioned, in the several courts of common pleas, shall be and the same hereby is extended to all such defendant or defendants in any suit or action which shall hereafter be depending in the said supreme court of this commonwealth.

[Section III.] (Section V, P. L.) Provided always, That nothing in this act or in the said-recited act contained shall be construed, deemed or taken to bar or prevent any such plaintiff or defendant, upon reasonable cause shown from being allowed a convenient and sufficient time, under all the circumstances of his, her or their case, to procure such testimony as may be necessary for the support of his, her or their suit, action or defense.

Passed April 10, 1782. Recorded L. B. No. 1, p. 489, etc. The Act in the text was repealed by the Act of Assembly passed March 27, 1789, Chapter 1413.

CHAPTER CMLXVII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR REGULATING NAVIGATION AND TRADE IN THIS STATE." ¹

(Section I, P. L.) Whereas, it is necessary in time of war to avoid strengthening the hands of our enemies by consuming their manufactures and encouraging and increasing their commerce, at the same time that it is expedient to promote and encourage a commercial intercourse with our allies and other nations in amity with us:

And whereas, the laws now existing have been found insufficient for these salutary purposes and in some instances inconvenient:

[Section I.] (Section II, 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,

¹ Passed September 10, 1778, Chapter 815.