

CHAPTER MCCOXLVII.

AN ACT TO ENCOURAGE AND PROTECT THE MANUFACTURES OF THIS STATE.

(Section I, P. L.) Whereas it is necessary for the encouragement of the arts and manufactures of this state that measures should be taken to prevent ill designing persons from exporting the tools, utensils and machines employed in the manufactures now established or likely so to be and from seducing artificers and manufacturers to leave this country.

[Section I.] (Section II, P. L.) Be it therefore 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 person or persons shall on any pretense whatever export, load or put on board or cause or procure to be exported, laden or put on board or shall pack or cause or procure to be packed in order to be laden or put on board of any ship or vessel bound to any place beyond the sea or not within the United States of America or shall lade or cause or procure to be laden on board of any boat or other vessel or shall bring, or cause to be brought to any quay, wharf or other place in order to be so laden or put on board any such ship or vessel or shall wilfully and maliciously destroy or render useless any machine, engine, tool, press, utensil or implement whatever used in or proper for the woolen, cotton, linen silk, iron or steel manufactures that now are or hereafter may be established in this state, or any part or parts of such machine, engine, tool, press, utensil or implement, or shall buy, purchase, collect or procure any such machine, engine, tool, press, utensil or implement or any part thereof for any of the purposes aforesaid, he or they so offending shall for every such offense not only forfeit and lose all such machines, engines, tools, presses, utensils and implement or parts or parcels thereof, together with the packages and all other goods packed therewith, if any there be, but upon complaint made thereof upon

the oath or affirmation of one or more credible witness or witnesses it shall and may be lawful for any justice of the peace to issue his warrant to bring the person or persons so complained of before him or any other justice, and if such person or persons shall not thereupon give such an account of the use or purpose to which such machines, engines, tools, presses, utensils and implements or parts or parcels thereof are intended to be appropriated as shall be satisfactory to such justice it shall and may be lawful for such justice to bind the person or persons so charged to appear at the next court of oyer and terminer or quarter sessions of the peace to be held for the city or county in which the offense shall be committed with reasonable sureties for his or their appearance, or to commit such person or persons in default of giving such security until the next court of oyer and terminer or quarter sessions of the peace for the said city and county and in case such person or persons shall be convicted at such court of oyer and terminer or quarter sessions of the peace of any of the offenses aforesaid, he or they shall forfeit and pay for every such offense a fine of three hundred and fifty pounds and shall also suffer imprisonment in the common gaol of the city or county in which such offense shall have been committed for the space of twelve months without bail or mainprize and until such fine shall be paid together with the costs of prosecution.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons whatsoever to seize and secure all such machines, engines, tools, presses, utensils and implements or parts or parcels thereof as shall be found or discovered to be laden and put on board or intended to be laden and put on board of any ship, vessel or boat and intended to be exported contrary to the true intent and meaning of this act together with the packages and all other goods packed therewith if any such there be and after condemnation thereof in due course of law the same shall be publicly sold to the best bidder by the sheriff of the city or county in which the same shall be condemned and one moiety of the produce arising by the sale thereof after deducting the charges of the condemnation and sale shall be to the use of the commonwealth and the other moiety to the person who shall seize and prosecute the same as aforesaid.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any captain or master of any ship, boat or vessel, shall knowingly and designedly permit any such machine, engine, tool, press, utensil or implement or any part or parcel thereof to be put on board of his ship, boat or vessel, with design to export the same contrary to the meaning and intent of this act, such captain or master shall for every such offense forfeit and pay a fine of three hundred and fifty pounds and shall also suffer imprisonment in the common gaol of the city or county in which the said offense shall be committed for the space of twelve months, and until the said fine together with the costs of prosecution shall be paid.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall have in his or their custody, power or possession any such machine, engine, tool, press, utensil or implement or any part or parcel thereof with intention to export the same contrary to the intention of this act or to destroy the same or render it useless, upon complaint thereof made by the oath or affirmation of one or more credible witness or witnesses it shall and may be lawful for any justice of the peace to issue his warrant to seize such machine, engine, tool, press, utensil and implement or the parts or parcels thereof and to bring the person or persons so complained of before him or any other justice of the peace and if such person or persons shall not give a satisfactory account of the case or purposes to which such machines, engine, tool, press, utensil and implement or the parts or parcels thereof were intended to be applied, it shall and may be lawful for such justice to cause such machine, engine, tool, press, utensil or implement or the parts or parcels thereof to be detained and to bind the person or persons so charged to appear at the next court of oyer and terminer or quarter sessions of the peace for the county in which the offense shall have been committed, with reasonable sureties for his or their appearance and in default of such security to commit such person or persons to the common gaol of the city or county and in case any such person or persons shall be convicted at such court

of oyer and terminer or quarter sessions of the peace of having in his or their custody, power or possession, any such machine, engine, tool, press, utensil or implement or any part or parcel thereof with such intent as aforesaid, the person or persons convicted thereof shall for every such offense forfeit and [lose] all such machines, engines, tools, presses, utensils and implements, and the parts and parcels thereof to the use of the commonwealth and of the prosecutor in manner aforesaid and shall also forfeit and pay a fine of three hundred and fifty pounds and shall suffer imprisonment in the common gaol of the city or county wherein he or they shall be convicted for the space of twelve months without bail or mainprize and until such fine shall be paid together with the costs of prosecution.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall contract with, entice, persuade or endeavor to seduce or encourage any artificer or workman concerned, skilled or employed in, or who shall have worked at or been employed in or who is skilled in the woolens, cotton, linen, silk, iron or steel manufactures which now are or hereafter may be established in this state, to go out of this state to parts beyond the sea or to any place not within the United States of America and shall be duly convicted thereof, every such person shall for every such offense forfeit and pay a fine of one hundred pounds and be committed to the common gaol aforesaid, there to remain without bail or mainprize for the space of four months and until such fine shall be paid together with the costs of prosecution.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That if any suit or action shall be commenced against any person or persons for what he or they shall do in pursuance of this act such suit or action shall be commenced within six months next after the fact committed and the person or person so sued may plead the general issue and give this act and the special matter in evidence and if the plaintiff or prosecutor shall become non-suit or suffer a discontinuance or if a verdict shall be given against

him or judgment entered against him on demurrer, the defendant shall recover double costs.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That nothing in this act contained shall be construed to prevent or prohibit the exportation of wool and cotton cards or of such other tools or implements as are or may be usually manufactured for sale and exportation within this state or any [of] the United States of America.

[Section VIII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That this act shall be and continue in force for and during the term of two years from and after the publication thereof and from thence to the end of the then next session of the general assembly and no longer.

Passed March 29, 1788. Recorded L. B. No. 3, p. 368.

CHAPTER MCCCXLVIII.

AN ACT FOR FACILITATING THE REDEMPTION OF THE BILLS OF CREDIT EMITTED IN THE YEAR ONE THOUSAND SEVEN HUNDRED AND EIGHTY-ONE AND FOR REDEEMING PART OF THE FUNDED DEBT OF THIS STATE, FOR EXTENDING THE TIME FOR PATENTING LANDS WHICH WERE LOCATED BEFORE THE DECLARATION OF INDEPENDENCY AND FOR GIVING A RIGHT OF PRE-EMPTION TO ACTUAL SETTLERS FOR PROCURING WARRANTS FOR LANDS BY THEM OCCUPIED.

(Section I, P. L.) Whereas in and by an act of the general assembly of this commonwealth passed the twenty-eighth day of March in the year of our Lord one thousand seven hundred and eighty-seven entitled, "An act for facilitating the redemption of the bills of credit emitted in the year one thousand seven hundred and eighty-one and for redeeming part of the funded debt of this state by the speedy collection of the arrearages due for unpatented lands which were located before the declaration of independency."¹ wherein it is enacted that

¹ Chapter 1283.