

to collect said fines they are hereby authorized to remit the same.

JOHN WEBER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twentieth day of March, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER LXXII.

*A SUPPLEMENT to the act, entitled, "An act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned."*

SECT. I. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the master, owner or owners, consignee or consignees of every ship or vessel which shall clear out of the port of Philadelphia for any port or place out of the limits of the United States, shall, before the departure of such ship or vessel, pay to the board of wardens of the said port (in addition to the tonnage duty already provided to be collected and paid in pursuance of an act, entitled, "An act to empower the board of wardens for the port of Philadelphia to collect a certain tonnage duty for the purposes therein mentioned,") a tonnage duty of two cents for every ton which such ship or vessel shall measure, according to the rules which is or may be prescribed by the laws of the United States, for ascertaining the tonnage of ships or vessels, and if any such ship or vessel shall depart from the port before the payment aforesaid, the master, owner or owners, consignee or consignees thereof, shall pay to the said board of wardens, a sum equal to double the amount of the said tonnage duty, due on such ship or vessel by virtue of this act, which may be recovered in the name of the said board, before any alderman, justice of the peace, or court of justice, having lawful jurisdiction of the amount thereof, or the said board may if they think it expedient, sue for, and recover as aforesaid the tonnage duty due on any ship or vessel after she shall have received a clearance, and before her departure.

Masters or owners of vessels clearing out of the port of Philadelphia to pay a tonnage duty of two cents for every ton.

Penalty upon the owner, master, or consignee of a vessel, which shall depart without the tonnage being paid.

How penalty to be recovered.

SECT. II. *And be it further enacted by the authority aforesaid,* That the tonnage duties collected by virtue of this act shall be appropriated by the said board of wardens as is herein after mentioned, that is to say, a sum not exceeding one thousand six hundred dollars thereof annually for the payment of the

In what manner the amount of tonnage received is to be appropriated.

master warden, clerk, office rent, stationary, and other incidental expenses necessarily incurred by the board in the execution of the duties of their office, the remainder thereof to be applied towards removing obstructions in the river Delaware below the city of Philadelphia, in such manner as to the said board shall seem most proper and useful to the navigation of the said river.

Board of wardens to keep an account of receipts and expenditures, and exhibit the same annually to the auditor-general.

SECT. III. *And be it further enacted by the authority aforesaid,* That the board of wardens shall keep fair and true accounts of all their receipts and expenditures under this act, and shall at the expiration of every year, pay over to the state treasurer the balance remaining in their hands, and the same shall remain in the hands of the said treasurer appropriated for the purposes aforesaid and no other, and subject to the drafts of the said board of wardens, and to the end and intent that fair and just accounts shall be kept and settlements made by the said board of wardens of all their transactions in pursuance of this act, they are hereby enjoined and required to exhibit true and just accounts of all monies received and expenses incurred by them in the execution of the duties enjoined by this act, at the expiration of every year, to the auditor-general of the commonwealth who is hereby authorized and required to settle and adjust the same in like manner as other accounts are settled by him and subject to the like appeal, security, trial and costs, and in like manner to proceed to recover the balance or balances which shall be found to be due from the said board of wardens or any of them, and no compensation more than two per cent. shall be allowed said board, for collecting and paying over the tonnage duty aforesaid.

Who is to audit and adjust the same.

Allowance to wardens for collecting and paying over.

When to come into operation, and how long to continue.

Act of 1st of April, 1795, to continue the same length of time.

Proviso.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the preceding sections of this act shall be in force at the expiration of one calendar month after the consent of the congress of the United States shall be granted to the operation thereof, and shall from such time continue in force for five years, and from thence to the end of the next session of the general assembly, and no longer. And that the act entitled, "An act to empower the board of wardens for the port of Philadelphia to collect a certain tonnage duty for the purposes therein mentioned," passed the first day of April, one thousand eight hundred and five shall continue and be in force for and during the same length of time; *Provided,* the consent of the congress of the United States shall be granted to such continued operation thereof.

SECT. V. *And be it further enacted by the authority aforesaid,* That if upon a settlement of the accounts relative to the wardens' office, and the expenses necessarily incurred in conducting the business thereof, agreeably to the provisions of the act to which this is a supplement, it shall appear that

the monies paid by virtue of the said act to the master warden shall not in any year be sufficient to defray the said expenses, it shall be lawful for the auditor-general to draw a warrant or warrants upon the state treasurer from time to time until the thirty-first day of March, one thousand eight hundred and thirteen, and no longer, for the amount of such deficiency which shall be paid out of the funds appropriated for the support of government ; *Provided*, that the same shall not in any one year exceed the sum of one thousand six hundred dollars in the whole.

Auditor-general may draw his warrant in favour of master warden to defray his expenses, if necessary, from time to time until the 31st of March, 1813.

Proviso.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the auditor-general be and he is hereby authorized and instructed to draw his warrant upon the state treasurer in favour of Henry Hawkins late master warden of the port of Philadelphia, for the sum of three hundred and thirty-six dollars and sixty-seven cents, being the amount of monies paid for the necessary expenses of the wardens' office for the year ending March the thirty-first, one thousand eight hundred and nine, over and above the sum authorized and appropriated by the act to which this is a supplement and that the said sum shall be paid out of the funds appropriated for the support of government.

Auditor-general to draw a warrant in favour of Henry Hawkins for 336 dollars, 67 cents.

SECT. VII. *And be it further enacted by the authority aforesaid*, That the auditor-general be and he is hereby authorized and instructed to draw his warrant on the state treasurer in favour of John Ashmead the present master warden of the port of Philadelphia, for such sum as on a settlement of his accounts according to law shall appear to be due to him for the necessary expenses of the wardens' office at the time of passing this act, over and above the sum authorized and appropriated by the act to which this is a supplement, and that the said sum shall be paid out of the funds appropriated for the support of government.

Also in favour of John Ashmead for such sums as may appear to be due to him on settlement of his accounts.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That the proviso contained in the eighth section of the act to which this is a supplement, and so much of the ninth section thereof as limits the compensation of the clerk of the board of wardens to the sum of five hundred dollars, be and the same is hereby repealed, provided the compensation of said clerk shall not exceed six hundred dollars per annum.

Parts of former acts repealed.

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