

this act no male white person capable of bearing arms shall for and notwithstanding any pass, license or protection by him obtained under any pretense whatsoever, be suffered to go about as a peddler or hawker in this commonwealth, and that any such person offending against the directions of this act shall upon due conviction thereof forfeit and pay the sum of fifty pounds for every offense to be recovered and applied in the same manner and to the same uses as fines incurred for selling by vendue are to be recovered and applied by virtue of this act.

[Section V] (Section V, P. L.) And be it further enacted by the authority aforesaid, That so much of an act of general assembly of this state passed the fourteenth of February, one thousand seven hundred and twenty-nine (thirty), entitled, "An act for regulating peddlers, vendues," etc.,¹ as relates to the regulating of peddlers and hawkers and is not altered or amended hereby shall remain in full force, and all and every part in the same act that relates to the regulating of vendues is hereby repealed.

Passed June 19, 1777. See the note to the Act of Assembly passed February 14, 1729-30, Chapter 308. The act in the text was repealed by the Act of Assembly passed November 26, 1779, Chapter 370.

CHAPTER DCCLXII.

AN ACT TO EMPOWER THE SUPREME EXECUTIVE COUNCIL OF THIS COMMONWEALTH TO PROVIDE FOR THE SECURITY THEREOF IN SPECIAL CASES WHERE NO PROVISION IS ALREADY MADE BY LAW.

Whereas the preservation of this state and all its members and of the army acting in support thereof at the time of an hostile invasion may require the immediate interposition of the supreme executive council when the judicial powers of the government cannot in the ordinary course of the law sufficiently provide for its security:

And whereas for this important purpose the supreme execu-

¹ Passed February 14, 1729-30, Chapter 308.

tive council of this commonwealth have lately at the recommendation of Congress taken up several persons who have refused to give to the state the common assurances of their fidelity and peaceable behavior as required by law, and it is apprehended that there are still more such persons among us, who cannot at this juncture be safely trusted with their freedom without giving proper security to the public:

[Section I] 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 it shall and may be lawful for the president or vice-president and the members of the supreme executive council of this state or any two of them either upon the recommendation of Congress or at the requisition of the commander in chief of the army or the commander of a division or corps in the same, or upon the information of any creditable subject of this or any other of the United States, to arrest any person or persons within this commonwealth who shall be suspected from any of his or her acts, writings, speeches, conversations, travels or other behavior, to be disaffected to the community of this or all or any of the United States of America, or to be a harbinger of the common enemy who is at our gates, or to give mediate or immediate intelligence and warning to their commanders by letters, messengers or tokens, or by discouraging people from taking up arms for the defense of their country, or spreading false news, or doing any other thing to subvert the good order and regulations that are or may be made and pursued for the safety of the country, and to seize and examine such papers in their possession as shall in any wise affect the public; and the same persons being arrested either to confine or remove to any distant place where it will be out of their power to disturb the peace and safety of the states; or to tender to them the oath or affirmation of allegiance and fidelity to this state, as directed by law; and upon their taking and subscribing the same to enlarge them or to demand and take such further and other security and assurances from them as the said president or vice-president and council or any two of them in their discretion shall think

proper, or as the particular circumstances of the case may require.

[Section II] And be it further enacted by the authority aforesaid, That the president, vice-president and other members of the supreme executive council of this commonwealth and all persons acting by their special command in the premises shall be and are hereby fully and absolutely indemnified and saved harmless of and from all process, suits and actions that shall or may be hereafter sued, commenced, prosecuted or brought against them or any or either of them for or in respect of any of their orders or proceedings heretofore issued and had upon the recommendation of Congress, or which they shall hereafter issue and have by virtue of this act; and that no judge or officer of the supreme court or any inferior court within this commonwealth shall issue or allow of any writ of habeas corpus or other remedial writ to obstruct the proceedings of the said executive council against suspected persons in this time of imminent danger of the state.

[Section III.] Provided always, and it is hereby further enacted by the authority aforesaid, That this act shall be in force to the end of the first sitting of the next general assembly of the commonwealth and no longer.

Passed September 6, 1777. See the note to the Ordinance of the First Constitutional Convention passed September 12, 1776, Chapter 733; and the Acts of Assembly passed October 13, 1777, Chapter 766; January 2, 1778, Chapter 775; September 10, 1778, Chapter 813; December 5, 1778, Chapter 822; March 31, 1779, Chapter 836; October 10, 1779, Chapter 865; November 27, 1779, Chapter 872; March 24, 1780, Chapter 906.

CHAPTER DCCLXIII.

AN ACT MAKING PROVISION FOR THE RELIEF OF OFFICERS, SOLDIERS, MARINES AND SEAMEN WHO IN THE COURSE OF THE PRESENT WAR, BEING IN THE SERVICE OF THE UNITED STATES OF AMERICA HAVE BEEN OR SHALL BE MAIMED OR OTHERWISE DISABLED FROM GETTING THEIR LIVELIHOOD AND SHALL BE RESIDENT IN OR BELONG TO THE STATE OF PENNSYLVANIA.

Whereas the delegates of the United States of America in Congress on the twenty-sixth day of August one thousand seven