

other persons for holding such courts, and the said sheriffs are hereby directed to notify the same in their several proclamations accordingly throughout their respective counties.

[Section III] (Section III, P. L.) Provided always, and be it enacted by the authority aforesaid, That after the British army shall be subdued, driven out of or shall evacuate this state, the supreme court and the courts of oyer and terminer and general gaol delivery for the counties of Chester and Bucks shall be holden at the places heretofore used and fixed by law.

Passed January 2, 1778.

As to Section I, see the note to the Act of Assembly passed May 22, 1722, Chapter 255; and the Act of Assembly passed April 14, 1834, P. L. 333.

As to Sections II and III, see the Acts of Assembly passed April 1, 1778, Chapter 798; August 19, 1778, Chapter 801.

CHAPTER DCCLXXVII.

AN ACT TO PREVENT THE IMPRISONMENT OF SOLDIERS FOR SMALL DEBTS, AND ALSO TO PREVENT THE ENLISTMENT OF SOLDIERS WITHIN THE BOUNDS OF THE COMMONWEALTH OF PENNSYLVANIA BY ANY OFFICERS OF THE OTHER STATES UNTIL THE QUOTA OF THIS STATE BE COMPLETED.

(Section I, P. L.) Whereas it would be highly injurious to the common cause of this and the other United States of America in our present necessary defense to permit the imprisonment of soldiers for small debts:

[Section I] (Section II, P. L.) 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 no soldier duly enlisted in the service of this or any other of the United States of America shall be arrested or imprisoned by virtue of any writ or other process for debt or any breach of civil contract issuing out of any court

of law or other legal jurisdiction within this commonwealth unless there be indorsed on the said writ or other process an affidavit on oath or affirmation that the defendant therein named is justly indebted to the plaintiff therein mentioned in a sum of money exceeding fifty dollars; and in case it shall happen that any soldier so bona fide enlisted and in actual service shall be so arrested, the justices of the supreme court of this commonwealth and the justices of the peace of the several counties thereof and each and every of them is hereby enjoined, empowered and required, upon application of the said soldier or his officer or officers, to discharge the said soldier from the said arrest or imprisonment: And all sheriffs and other officers are hereby enjoined and required that they do not arrest any person whom they may or shall know to be regularly enlisted soldiers unless such affidavit be endorsed on the said process, under the penalty of twenty pounds to be recovered by the said soldier or the commanding officer of the company to which he belongs by action of debt in any court of record within this state.

(Section III, P. L.) And whereas a great number of able-bodied soldiers have entered into regiments belonging to different states, which has very much delayed the quota of troops assigned this state by Congress for the continental army being completed:

Therefore:

[Section II.] (Section IV, P. L.) Be it enacted by the authority aforesaid, That no recruiting officer or other person not belonging to some one of the regiments of this state shall upon any pretence whatsoever enlist any person within this state until the quota of troops for the continental army are [sic] completed, unless the said officer has the particular instructions of Congress or his excellency the commander in chief for that purpose, upon the penalty of fifty pounds. And every justice of the peace before whom complaint shall be made shall issue his warrant to apprehend such offender or offenders, and upon sufficient proof thereof being made shall deliver or cause to be delivered the soldier so enlisted to an officer belonging to one of the regiments of this state or to such other person as may be hereafter appointed by the executive council to recruit for this

state, and shall commit the officer so offending to the common gaol of the county, there to remain until he pays the aforesaid fine, which fine the justice is required to pay into the hands of the treasurer for the state taxes.

Passed January 2, 1778. See the Act of Assembly passed March 8, 1780, Chapter 888.

CHAPTER DCCLXXVIII.

AN ACT FOR SUSPENDING THE POWERS OF THE TRUSTEES OF THE COLLEGE AND ACADEMY OF PHILADELPHIA FOR A LIMITED TIME.

(Section I, P. L.) Whereas some of the trustees of the college and academy of Philadelphia are now with the British army under General Howe and in open hostility against the United States of America, and some others of them have voluntarily put themselves in the power and under the dominion of the said General Howe and the enemies of the said states by remaining in the city of Philadelphia at the time they entered the same and still continue there, whilst some others of the said trustees, together with the vice-provost and professors and other officers of the said college and academy, preferring the government and protection of this commonwealth, and in order that they might contribute as far as in their power to the defense of their just rights and liberties and the maintenance of the freedom and independence of these states, removed themselves out of the said city and still so continue:

And whereas it would be impolitic and unjust to suffer any act of the said trustees in such a situation to have any force or effect:

[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 no resolve, vote, ordinance or