

Passed September 7, 1778. See the Acts of Assembly passed November 17, 1778, Chapter 817; April 3, 1779, Chapter 841; February 28, 1780, Chapter 876; September 22, 1780, Chapter 917; December 22, 1780, Chapter 922; February 27, 1781, Chapter 928; June 7, 1781, Chapter 943.

CHAPTER DCCCX.

AN ACT FOR THE RECOVERY OF THE DUTIES ON NEGROES AND MULATTO SLAVES, WHICH ON THE FOURTH DAY OF JULY, ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SIX, WERE DUE TO THIS STATE AND HAVE SINCE ACCRUED, AND FOR APPOINTING A COLLECTOR OF THE SAID DUTIES.

(Section I, P. L.) Whereas by an act of the general assembly of the former government of Pennsylvania passed the fourteenth day of March one thousand seven hundred and sixty-one, entitled "An act for laying a duty on negroes and mulatto slaves imported in this province,"¹ a duty of ten pounds was laid on every negro and mulatto slave imported, landed or brought into the said province for sale. And several other regulations were made for collecting and applying the said duty:

(Section II, P. L.) And whereas by another act of the said general assembly passed the twenty-sixth day of February one thousand seven hundred and seventy-three, the additional duty of ten pounds was laid on every negro and mulatto slave imported, and not excepted in the said first-mentioned act.

(Section III, P. L.) And whereas upon the declaration of the independence of this and the rest of the United States of America, the office of the collector of the said duties has been vacated and no new officer appointed by the legislature of this state. In consequence whereof the entries of negroes and mulatto slaves since brought into this state could not be properly made and the duties laid on them collected. For remedying whereof, and that the said duties may be collected and recovered, and that all the regulations made by the aforesaid two acts of general assembly may for the future be put in due execution:

¹ Passed March 14, 1761, Chapter 467.

[Section I.] (Section IV, 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 [Walter Shee] of [the city of Philadelphia, merchant,] shall be, and is hereby appointed collector of the duties, and receiver of all fines, forfeitures and penalties imposed by the aforesaid two acts of general assembly. And he is hereby authorized, enjoined and required to demand and receive of and from the late collector of the said duties, all bonds and securities taken in pursuance of the said acts, and all books, minutes and papers to the said office of collector of the duties on negroes and mulatto slaves belonging, and from the person and persons who by virtue of any such bond or otherwise owe any duty or duties, fine or fines, and their sureties to demand and receive the same, and upon refusal to prosecute and sue for the recovery thereof, and also to do, execute and perform all and every the acts, matters and things enjoined to be done and performed by the collector of the said duties, in the said two recited acts, and by this act he the said [Walter Shee] before he enters upon the execution of his said office, giving bond with one or more sufficient sureties to the treasurer of this state, for the time being in the sum of one thousand pounds for the due execution of his trust, and having taken the oath or affirmation of allegiance as prescribed by the laws of this state.

[Section II.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all persons who are resident within this state, and have at any time since the fourth day of July one thousand seven hundred and seventy-six imported or brought into any place under the laws and government thereof any negro or mulatto slave or slaves, either for sale or for their own families' service, or have purchased, hired or maintained such negroes or mulattoes, shall within the space of three months next after the publication of this act, make a true entry thereof with the said collector at Philadelphia, or his deputies in the several counties and pay the duties by the said two several acts imposed, or give the security thereby required, or if no deputy of the said collector be known in the county, make a return to the clerk of the court of general quarter sessions of the

peace of the county where any such negro or mulatto slave has been first imported or removed to, or is then, or has been at any time before living. And the clerk of the said court is hereby enjoined and required to take and enter such return in the same book, or on the same file where the returns of constables about negroes imported are entered, to which returns the collector shall have free access. And the person and persons who shall within the said space of three months make such entry or report, and give such security as aforesaid, shall be, and is hereby indemnified, freed and discharged of and from all penalties, fines and forfeitures in and by the said two recited acts, set upon persons not making such entries, and giving such securities as thereby is directed. Otherwise the person and persons, who have since the fourth day of July one thousand seven hundred and seventy-six, imported, sold, purchased, hired or maintained within this state any such negro or mulatto slave, and shall not within the said space of three months make the entry by this act directed to be made, shall upon due conviction thereof forfeit such negro or mulatto, or if he has already disposed thereof, or the negro or mulatto has died or run away, then the value of such negro and mulatto.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if the late collector of the duties on negro and mulatto slaves, shall upon the proper demand of the said [Walter Shee] refuse or neglect to deliver up to him the bonds, securities, books, minutes and papers to the office of the collector of the aforesaid duties belonging, and the said [Walter Shee] shall make complaint thereof to any one justice of the peace of the city or county where the said late collector dwelleth, such justice shall issue his warrant in the nature of *capias*, causing the officer to be brought before him, and if the complaint shall be supported by good evidence the said justice shall commit him to the common gaol of the county, there to remain without bail or mainprise until the said bonds, securities, books, minutes and papers shall be delivered up as aforesaid.

[Section IV]. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That in case of the death, removal or refusal to act of the person herein appointed collector, or of

any future collector, it shall and may be lawful for the general assembly for the time being, to appoint another collector by resolve: And in case any vacancy shall happen in the recess of the house, the president or vice-president in council shall then have the said appointment.

Passed September 7, 1778. See the note to the Act of Assembly passed March 14, 1761, Chapter 467; and the Act of Assembly passed March 1, 1780, Chapter 881.

CHAPTER DCCXXI.

AN ACT FOR ESTABLISHING A COURT OF ADMIRALTY.

(Section I, P. L.) Whereas it is necessary that due provision should be made for the trial and determination of crimes, controversies and suits properly within the cognizance of the maritime law, and not inquirable at common law:

[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 a person of known integrity and ability shall be appointed and commissioned by the supreme executive council of this commonwealth for and during the term of three years by the name and style of "Judge of Admiralty of the state of Pennsylvania," who shall hold a court of admiralty which shall have cognizance of all and all manner of controversies, suits and pleas, within the jurisdiction of the admiral and not determinable at common law: (crimes excepted) and thereupon adjudge, decree, pass sentence, and award execution thereof, as the maritime law and the laws of this commonwealth shall require.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That all captains, commanders, prize-masters or other person[s] having taken and brought into any port in this commonwealth any ship or other vessel belonging to