

by the authority aforesaid, That the supreme executive council shall and is hereby authorized and empowered to draw orders on the state treasurer in favor of the commissioners for such sums and in such times as they shall think proper for the purpose of carrying this act into execution.

[Section VII.] (Section IX, P. L.) [And be it further enacted by the authority aforesaid, That the following persons shall be and they are hereby appointed commissioners in and for the several counties hereinafter mentioned; to-wit: for the county of Philadelphia, Jacob Reed, Nathan Levering, Thomas Dungan, Jenkin Evans, Robert McDowell, Andrew Reed and Peter Holston; for the county of Bucks, John Thompson, Joshua Anderson, Andrew Long, Senior, Robert Robinson, Robert Stewart, [and] Nathaniel Vansant; for the county of Chester, Andrew Boyd, Senior, Thomas Cheney, John Beaton, Edward Parker and Thomas Heslip; for the county of Lancaster, Richard Foree, David Wattson, Thomas Edwards, James Anderson, Junior, Hugh Pedon, William Swan, Jacob Fouts, Martin Holman, James Jack, Esquire, and William Clark; for the county of Berks, Joseph Heester, Michael Lindemuth, Jacob Weaver, Henry Spycker, Jacob Boyer, Jacob Bishop and Jacob Morgan, Senior, and for the county of Northampton, Anthony Learch, David Deshler, Thomas Moore and Thomas Wilson.]

Passed October 9, 1779. See the Act of Assembly passed January 2, 1778, Chapter 782.

CHAPTER DCCCLXV.

AN ACT TO EMPOWER THE SUPREME EXECUTIVE COUNCIL AND JUSTICES OF THE SUPREME COURT TO APPREHEND SUSPECTED PERSONS, AND TO INCREASE THE FINES TO WHICH PERSONS ARE LIABLE, FOR NEGLECTING TO PERFORM THEIR TOUR OF MILITIA DUTY.

(Section I, P. L.) Whereas there is reason to suspect that there are sundry persons within this commonwealth, who by their general conduct have manifested an enmity to the liberty and

independence of their county; and it is inconsistent with the public safety that such persons should be at liberty, to spread disaffection, or have it in their power to give intelligence to the enemy, or enjoy the same freedom, which the good citizens of this commonwealth, who have given proofs of their attachment to the common cause enjoy:

(Section II, P. L.) And whereas the legislatures of countries most jealous of their liberties, have, in times of public danger, consented to a temporary suspension of laws, which they have considered as the greatest support of those liberties:

[Section I.] (Section III, 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 whenever complaint shall be made to the supreme executive council or justices of the supreme court, or to any of them, that the general conduct of any person within this Commonwealth, is such, that there is just reason to suspect he is an enemy to the American cause, or that he hath manifested a general disaffection thereunto, it shall and may be lawful for the said supreme executive council or justices, or either of the said justices, and they are hereby required to issue their warrant and apprehend such person, and bring him before said council or justice and if it shall appear on due examination that such person has in his general conduct manifested an enmity or disaffection to the liberty and independence of the United States of America, the said supreme executive council or justice shall bind such person over, with sufficient security to his good behavior, or for want of such security shall commit him to gaol, there to remain until the end of the first sitting of the next assembly. Or if it shall appear to the said council or justice, that it would be dangerous that such person should be permitted to go at large, then the said council or justice shall commit such person to the gaol aforesaid, there to remain for the time aforesaid without bail or mainprize or shall send such person out of this state.

(Section IV, P. L.) And whereas nothing is more just and equitable than that persons who neglect or refuse to turn out in defence of their liberty and property, should pay an equivalent

in proportion to the property which is protected by those who do turn out at their country's call. In order to enable the legislature to make some recompense to such as perform their tour of duty, greatly to the prejudice of their private affairs, and often to the great distress of their families.

[Section II.] (Section V, P. L.) Be it enacted by the authority aforesaid, That instead of the sum of one hundred pounds, which persons refusing to perform their tour of militia duty are now by law subject to, every person and persons who shall refuse or neglect upon being lawfully warned, to perform their tour of militia duty, according to the true intent and meaning of the militia laws of this commonwealth, it shall and may be lawful for the lieutenant or sub-lieutenant of the city of Philadelphia and the proper county and the judges of the court of appeal to fine each and every person so neglecting or refusing in any sum not exceeding one thousand pounds nor under one hundred pounds, except in cases of inability of body and estate: and in laying and judging of the amount of the said fine the said lieutenant or sub-lieutenant and judges shall have a due regard to the value of such delinquents estate and circumstances, and the said fines hereby imposed shall be assessed, levied and collected in the same manner as the fines which persons are now subject to for refusing to perform the like duties are directed to be assessed, levied and collected.

[Section III.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the lieutenant of the city and each county in this state from and after the publication of this act shall have and receive sixteen dollars per diem for each day they shall be actually employed and shall be authorized to pay fifteen dollars to each of such persons as shall be summoned to and shall attend and sit in their courts of appeal and the sub-lieutenants shall have and receive fifteen dollars per diem for each day they shall be in actual service as aforesaid.

Passed October 10, 1779. See the Acts of Assembly passed November 27, 1779, Chapter 372; March 20, 1780, Chapter 902; March 24, 1780, Chapter 906.