

CHAPTER MCDIV.

AN ACT TO PREVENT THE IMPORTATION OF CONVICTS INTO THIS COMMONWEALTH.

(Section I, P. L.) Whereas it hath been represented to this house by the United States in congress assembled that a practice prevails of importing felons convict into this state, under various pretences which said felons convict so imported have been sold and dispersed among the people of this state whereby much injury hath arisen to the morals of some and others have been greatly endangered in their lives and property:

For remedy whereof:

[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 from and after the third day of May next no captain or master of any vessel or any other person or persons shall knowingly or willingly import, bring or send or cause or procure to be imported, brought or sent or be aiding or assisting therein into this commonwealth by land or water any felon convict or person under sentence of death or any other legal disability incurred by a criminal prosecution or who shall be delivered or sent to him or her from any prison or place of confinement in any place out of the United States.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That every captain or master of a vessel or any other person who shall so as aforesaid, import bring or send or cause or procure to be imported, brought or sent or be aiding and assisting therein, into this commonwealth by land or water or who shall as factor or agent of the person or persons so offending or as consignee sell or offer for sale any such person as above described knowing him or her so to be, shall suffer three months imprisonment without bail or

mainprize, and shall forfeit and pay over and beyond the costs of prosecution for every such person so brought, imported or sent or caused or procured so to be or sold or offered for sale, fifty pounds lawful money of Pennsylvania, one half thereof to the commonwealth and the other half to him or her who shall sue or prosecute for the same, which said penalty shall be recovered by action of debt or information in any court of record, and the defendant or person sued or impleaded therefor shall be ruled to give special bail in like manner and under the same rules as is usual in actions of debt founded on contract.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That every person who shall offend against this act or anything herein contained shall on conviction thereof be adjudged and ordered to enter into a recognizance with sufficient sureties to convey and transport within such reasonable time as shall be ordered and directed by the court to some place or places without the bounds, limits and jurisdiction of the United States every such felon convict or other person of the description aforesaid which he or she shall have been convicted of having brought, imported or sent or having been aiding or assisting therein into this commonwealth against the true intent and meaning of this act or of having so as aforesaid sold or offered for sale, and in default of entering into such recognizance with sufficient sureties as aforesaid he or she shall be committed to gaol there to remain without bail or mainprize until he or she shall enter into such recognizance with such sureties as aforesaid or until he or she shall cause every such person so as aforesaid by him or her imported, brought or sent or cause or procured to have been imported, brought or sent or that he or she shall have been aiding or assisting in the importing, bringing or sending into this commonwealth against the true intent and meaning of this act or that he or she shall have been convicted of having so as aforesaid sold or offered for sale.

Passed March 27, 1789. Recorded L. B. No. 3, 497. See Act of Assembly passed February 14, 1729-30, Chapter, 314.

The Act in the text was repealed by the Act of Assembly passed March 31, 1860, P. L. 452.