

zine or magazines shall be completed, it shall be the duty of the superintendent or keeper of the magazine, to cause all the powder at that time deposited in the present magazine, to be removed therefrom at the expense of the owners of the powder to the magazine or magazines hereby directed to be built; and all gun powder thereafter manufactured in the county of Philadelphia, or imported or brought into the same, shall be deposited and kept in the said new magazine or magazines, under and subject to all the regulations and penalties now in force, with regard to the inspection and deposit of gun powder in the present magazine.⁽¹⁾

Approved April 4, 1807. Recorded in L. B. No. 10, p. 516.
Note ⁽¹⁾ See Chapter 2935. *Infra* this volume, p. 784.

CHAPTER MMDCCCXVII.

A FURTHER SUPPLEMENT TO THE PENAL LAWS OF THIS STATE. ⁽¹⁾

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That instead of two years imprisonment, to which the power of the courts of this commonwealth is limited, in, and by the fourth section of an act entitled "An act to reform the penal laws of this state,"⁽¹⁾ the said courts respectively shall hereafter be invested with the power of extending the confinement in such cases, to a period not exceeding seven years in their discretion, according to the circumstance of the case before them: Provided, always, that the power thus conferred on the said courts shall not extend to offenses enumerated in the said section, of bigamy, or of being an accessory after the fact in any felony, or of receiving stolen goods, knowing them to have been stolen.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That any person convicted in any county in this state, other than the county of Philadelphia, of any of the offenses alluded to in the foregoing section, for

which he or she shall be sentenced to hard labor for the space of two years or upwards, may at the discretion of the court in which such person shall be convicted, within three months after such conviction, be removed to the jail in the said county of Philadelphia, therein to be confined, fed, clothed and employed at hard labor according to law, for the remaining part of the time for which by such sentence he or she shall be liable to imprisonment.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That where any person charged with having committed a felony in the city of Philadelphia, or in any county in this state, shall go or escape into any other county of this state, or into the city aforesaid, it shall and may be lawful for the president or any judge of the court of common pleas in the county where the said person may be found, to issue his warrant authorizing and requiring the sheriff of the said county to take the said person, and conduct him or her to the proper county or city where the said felony is alleged to have been committed, the expenses of which shall be paid to the said sheriff by the county or city to which the said person is conducted.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any jailer shall neglect or refuse to give notice, or furnish a complete calendar or list of all persons committed under sentence of servitude, to the commissioners of the proper county, as is directed by the thirtieth section of the act to which this is a further supplement, if the courts of quarter sessions shall have ordered the jailer so to do, he shall forfeit and pay for every such neglect or refusal, the sum of one hundred dollars; and if the said commissioners of any county after the receipt of such notice or calendar, shall neglect or refuse to procure sufficient articles and materials of labor and manufacture, or otherwise neglect the duties enjoined upon them by the said thirtieth section, such commissioners or any of them so neglecting or refusing, shall forfeit and pay the sum of one hundred dollars, for every

such neglect or refusal; and if by the report of the commissioners of any county to the court of quarter sessions, it shall appear that there is not sufficient room or conveniences in and about the common jail of any county for the employment and punishment of the convicts, as is directed by the said section, it shall be the duty of such commissioners with the consent and approbation of the court and grand jury of the proper county, to cause to be erected such additional buildings as may be necessary for that purpose; and if need be, purchase ground proper and convenient for the erection of such additional buildings at the expense of the proper county.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any jailer shall sell or suffer to be sold to the prisoners, or other persons, any spirituous liquors, or shall suffer any spirituous liquors under any pretense whatever, except in cases of sickness, to be given to any of the said prisoners in any quantity or measure, such jailer so offending, upon conviction thereof, shall forfeit and pay the sum of fifty dollars for every such offense; and shall be moreover removed from being the keeper of such jail or prison; and it shall be the duty of the court of the proper county to examine into the conduct of the jailer in this respect at each court of quarter sessions, and if necessary, to send for and examine witnesses in this behalf.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if any jailer shall be convicted of having by his negligence suffered any prisoner committed to his custody to escape, he shall forfeit and pay for every such offense, a sum not exceeding three hundred dollars.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all the penalties inflicted by this act, shall be recovered upon conviction for the offense, in the court of quarter sessions of the proper county, by indictment or information.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the thirty-fifth section of an act, entitled "An act to reform the penal laws of this state," passed the fifth day of April, one thousand seven hundred and ninety,⁽¹⁾ be, and the same is hereby repealed.

Approved April 4, 1807. Recorded in L. B. No. 10, p. 517.

Note (1) Chapter 1516; 13 Statutes at Large, p. 511 and note.

CHAPTER MMDCCCXVIII.

AN ACT FOR THE RELIEF OF JOHN RYBECKER.

Whereas it appears that John Rybecker was a soldier in the Pennsylvania line, in the late revolutionary war, and that while in the service of his country, he received very severe wounds, the effects of which prevent him from procuring that subsistence which it would otherwise be in his power to procure: Therefore,

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the proper officers of the land office be, and they are hereby authorized and required to grant to John Rybecker a patent for a tract of donation land according to his rank aforesaid.

Approved April 4, 1807. Recorded in L. B. No. 10, p. 519.

CHAPTER MMDCCCXIX.

AN ACT TO AUTHORIZE THE SALE AND CONVEYANCE OF THE REAL ESTATE OF PHILIP NICKLIN, BY HIS SURVIVING PARTNER AND LEGAL REPRESENTATIVES.

Whereas it hath been represented to the legislature by Robert E. Griffith, surviving partner of Philip Nicklin, deceased, Juliana Nicklin, widow and administratrix of the said Philip Nicklin, and natural guardian of his minor children, and Benjamin Chew, junior, administrator of the said Philip