

CHAPTER MMDCCXLVII.

AN ACT FOR EXTENDING AN ACT ENTITLED "AN ACT REGULATING AND CONTINUING THE DISTRIBUTION OF DONATION LANDS." (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 the act entitled "An act regulating and continuing the distribution of donation lands," passed the twenty-fifth day of March, one thousand eight hundred and five,⁽¹⁾ be, and the same is hereby extended, and all matters and things therein contained, (the limitation clause only excepted), shall be and continue in force until the first day of April, one thousand eight hundred and eight.

Approved April 9, 1807. Recorded in L. B. No. 11, p. 41.
Note (1) Chapter 2572; 17 Statutes at Large, p. 962.

CHAPTER MMDCCXLVIII.

A FURTHER SUPPLEMENT TO THE ACT ENTITLED "AN ACT FOR THE REGULATION OF THE MILITIA OF THE COMMONWEALTH OF PENNSYLVANIA." (1)

Whereas it hath been represented to the legislature, that a number of persons have been drafted to serve a tour of militia duty in the Western Expedition, in the year one thousand seven hundred and ninety-four, and subjected to the payment of heavy fines, some of whom never had notice of their being drawn and consequently no notice of the day of appeal: Therefore,

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 the brigade inspector of

each brigade where any of the fines are yet in arrear and uncollected, for not performing a tour of militia duty in the Western Expedition, is hereby authorized and required, taking to his assistance at least two of the field officers of the regiment, to hold an appeal within six months after the passing of this act; of which appeal not less than thirty days notice shall be given by six or more advertisements, put up at the most public places within each regiment of the time and place of such appeal, and make such allowances as to them or a majority of them may seem just and reasonable, having regard to the law then in operation; and before they proceed to business shall take an oath or affirmation well and truly to execute and discharge the duties enjoined on them by this act, which the brigade inspector is hereby empowered to administer; and each of them shall receive two dollars each day actually employed in the said service, to be paid to them by the brigade inspector out of the said fines, and to be allowed to him on settlement of his accounts.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the constable or other person who shall collect the said fines, shall receive from the brigade inspector five per centum of all the fines thus collected in addition to his other allowance as a compensation for collecting the same; and in addition, thereto, if he shall be under the necessity of making sale of any delinquent's property, or shall commit the body of such delinquent to the jail of the county, then, and in either case, he shall receive such fees as are allowed by law in civil cases for similar services, to be paid by such delinquent; and the brigade inspectors respectively, shall receive in addition to their other allowances for their services in carrying the provisions of the act passed April the eleventh, one thousand seven hundred and ninety-three,⁽¹⁾ and the ninth section of a supplement thereto passed April the fourth, one thousand eight hundred and five,⁽²⁾ into effect, five per centum on all the monies collected and paid into the state treasury, after deducting the disbursements made out of the same.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the brigade inspectors respectively, to appoint a suitable person or persons as collector of the said fines in cases where the constable of the township shall neglect or refuse to collect the same, or where there is no constable appointed; and in that case, the person or persons so appointed, and accepting of such appointment, shall be entitled to the same compensation and vested with the same powers as a constable, and liable to the same fines and forfeitures as a constable is liable to for neglect of duty.⁽³⁾

Approved April 9, 1807. Recorded in L. B. No. 11, p. 41.

Note (1) Chapter 1695; 14 Statutes at Large p. 454.

Note (2) Chapter 2607; 17 Statutes at Large, p. 1054.

Note (3) See supplement to the act in the text Chapter 2854; *Infra* this volume, p. 572.

Note (4) See supplement to act referred to in note 3; Chapter 2959, *Infra* this volume, p. 829.

CHAPTER MMDCCCXLIX.

AN ACT TO AUTHORIZE ROBERT KENNEDY, HIS HEIRS AND ASSIGNS, TO DIG AND SUPPORT A MILL RACE IN AND ADJACENT TO THE RIVER SCHUYLKILL, NEAR ITS FALLS.

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 Robert Kennedy of the township of the Northern Liberties, in the county of Philadelphia, innkeeper, his heirs and assigns, be, and they are hereby authorized to dig, continue, support, and keep in repair a mill race on and contiguous to the tract of land now held by him on the north-east side of the falls of Schuylkill; to extend not more than two perches into the said river, and to