

At a General Assembly begun and holden at Philadelphia the fourteenth day of October, A. D. 1737, and continued by adjournments until the second day of September, 1738, the following acts were passed:

CHAPTER CCCXLV.

AN ACT TO REMOVE THE TRUSTEES OF THE GENERAL LOAN OFFICE OF PENNSYLVANIA AND APPOINTING OTHERS TO EXECUTE THE SAID TRUST.

Whereas in the year of our Lord one thousand seven hundred and twenty-nine, Andrew Hamilton, Charles Read, Jeremiah Langhorne and Richard Hayes were by an act of general assembly of the province of Pennsylvania nominated and appointed trustees of the general loan office of the said province in the room and place of Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Philip Taylor, the former trustees of the said general loan office, with full power and authority to execute the said trust by doing and performing all matters and things whatsoever enjoined or required to be done or performed in the execution of the said trust as fully and amply as if the said Andrew Hamilton, Charles Read, Jeremiah Langhorne and Richard Hayes had been expressly named, authorized and appointed in the bodies of the several acts of assembly by which any bills of credit were emitted, re-emitted or otherwise to be issued, paid or exchanged.

And whereas in the year one thousand seven hundred and thirty-three it was resolved by the then house of representatives that the trustees of the general loan office should be removed once in four years for the future, although they may well behave themselves during that time in the said office:

And whereas the said Charles Read is since deceased and the said Andrew Hamilton requesting to be discharged from his

office of trustee of the said general loan office. It is therefore thought proper in pursuance of the said resolve to remove the present trustees and to appoint others in their stead to execute the said trust.

[Section I.] Be it therefore enacted by the Honorable George Thomas, Esquire, Lieutenant-Governor with the King's approbation under the Honorable John Penn, Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and the counties of Newcastle, Kent and Sussex on Delaware, by and with the advice and consent of the representatives of the freemen of the Province of Pennsylvania in General Assembly met, That after the tenth day of October in the year one thousand seven hundred and thirty-eight the said Andrew Hamilton, Jeremiah Langhorne and Richard Hayes and every of them be and are hereby discharged from executing the office of trustees of the general loan office of Pennsylvania; and John Kinsey, Jonathan Robeson, Joseph Kirkbride and Caleb Cowpland are hereby nominated and appointed trustees of the said general loan office of the province aforesaid to succeed the said present trustees, and on the tenth day of October aforesaid to enter upon the execution of their said trust, to which they are hereby appointed, for holding and ordering of the said general loan office and for receiving and issuing all bills of credit of this province according to the directions of any act or acts of assembly of this province by which any bills of credit have been or shall be emitted and made current, and for the doing and performing all matters and things enjoined or required or that shall be enjoined or required to be done by the trustees of the said general loan office in the said office by any of the acts of assembly now made or that shall be made during the continuance of the said acts or until they shall be legally removed from the said trust, as fully and amply to all intents and purposes as the present or former trustees of the general loan office of the province of Pennsylvania now can or might or could have done by virtue of any of the acts of assembly by which the said trustees therein named were appointed, and as fully as if the said John Kinsey, Jonathan Robeson, Joseph Kirkbride and Caleb Cowpland had been nominated

and appointed trustees in the bodies of the said acts of assembly, each of the said trustees before they enter upon the execution of their trust first giving bond to the provincial treasurer for the time being in the sum of three thousand pounds, according to the directions of the said acts of assembly, with a further condition to deliver up to their successors in the said trust the mortgage-deeds and all other things belonging to the said general loan office when they shall happen to be removed from their trust, and taking the oath or affirmation therein enjoined to be taken by the trustees for the due performance of their trust.

And if any of the trustees shall happen to die or be removed for misfeasance or for not acting, some other fit person or persons shall be appointed in the place or places of such trustee or trustees in the manner directed by the thirty-thousand-pound act made in the year one thousand seven hundred and twenty-nine.

And the said John Kinsey, Jonathan Robeson, Joseph Kirkbride and Caleb Cowpland are hereby further authorized and required from and immediately after the said tenth day of October to demand, take and receive of the said Andrew Hamilton, Jeremiah Langhorne and Richard Hayes, their heirs, executors and administrators, and of every of them and of every other person concerned, all the mortgage-deeds, bonds and warrants of attorney, together with the books of records and enrollments of the same, and all deeds, writings and evidences relating to or concerning the right or title of any lands, tenements or hereditaments or other things taken or received by the late trustees into the said general loan office for security of payment of any sum of money, and all the bills of credit remaining in their or any of their hands belonging to the said loan office.

[Section II.] And be it further enacted by the authority aforesaid, That all the aforesaid mortgages and enrollments of the same or other deeds, evidences and writings relating to or concerning any mortgage or other security for payment of any money or bills of credit into the general loan office of the province of Pennsylvania, and all plate, with the said bills of credit now remaining in their or any of their hands, whether the same

be to be re-issued, sunk and destroyed, or exchanged for torn bills, or directed by any act or acts of general assembly to be paid to any persons for any particular uses, together with a schedule or inventory of the same, shall immediately from and after the said tenth day of October be delivered with all convenient speed to the trustees in this act named, who are hereby empowered to account with the said late trustees and to receive the mortgage-deeds, plate and other things so delivered of the said Andrew Hamilton, Jeremiah Langhorne and Richard Hayes, late trustees, or any other person whomsoever having the same in their hands or possession, and to lay the several accounts before the general assembly of this province when thereunto required. And that the receipt of the said trustees by this act appointed or any three of them shall be a sufficient discharge to the said Andrew Hamilton, Jeremiah Langhorne and Richard Hayes, their heirs, executors and administrators, for such bills of credit, plate, mortgage-deeds and enrollments of the same or other writings so delivered.

Provided always, That it shall and may be lawful for the late trustees or any of them at any seasonable time or times to have recourse to and inspection of all the mortgage-deeds or enrollments of the same with their endorsements, in order to enable them to account with the assembly of this province or their committees or any other persons to be appointed by the assembly for that purpose if any such account be required.

And that the said trustees are hereby empowered to choose and employ a fit and able person to be clerk, for whom they shall be answerable, to serve them in the said office during their pleasure under the like qualifications enjoined to be taken by the clerk in the said acts before he enter upon his office, who shall deliver to the committee of assembly when thereunto required, upon oath [or affirmation], a true list of all mortgage-deeds taken according to the directions of the aforesaid acts of assembly. And the trustees shall themselves keep fair and exact books of account, tablewise, of all the emissions of bills of credit by them let out upon loan or otherwise issued out of the said office, and of the receipts of the principal sums, quotas and interests arising thereupon, of all the moneys to them paid in.

upon all or any of the said acts of assembly; to which books of accounts the committee of assembly hereafter to be appointed to audit the said trustees' accounts shall have free access at all reasonable times, and shall further have delivered to them for the use of the assembly a fair duplicate of the said tables by the aforesaid trustees, with a list of the receipts of all such moneys paid in with the days of payment, and likewise have access to the mortgage-deeds and enrollments of the same with the bonds given by the mortgagors, to the end they may be satisfied that there is due credit given to the province for the moneys or bills of credit paid in, and that the same have been again let out without delay to such persons as have had occasion to borrow, and that the said committee may from time to time be acquainted with the state of the whole transactions and affairs belonging to the said loan office. And such of the said trustees as shall undertake and execute the said trust shall each of them receive the same like salaries as are allowed and appointed by the aforesaid several acts of assembly to be paid to the former trustees.

Passed August 25, 1738. See Appendix XIII, Section I, and notes to the Acts of Assembly passed March 5, 1725-26, Chapter 289, and August 15, 1730, Chapter 317, and the Act of Assembly passed May 19, 1739, Chapter 353.

CHAPTER CCCXLVI.

AN ACT FOR LAYING AN EXCISE ON WINE, RUM, BRANDY AND OTHER SPIRITS.

Whereas the several acts for laying an excise on wine, rum, brandy and other spirits retailed within this province are now expired:

Therefore, to the end farther provision be made for the payment of the public debts and defraying the other necessary charges of government:

[Section I.] Be it enacted by the Honorable George Thomas,