

they so offending shall forfeit and pay the sum of forty shillings each for every such offense, to be recovered as debts under forty shillings are directed to be recovered, one-half to the prosecutor and the other half to the overseers of the poor for the use of the poor of the city, borough or township where the same shall be recovered.

This act to continue for the space of one year and from thence to the end of the next sitting of assembly and no longer.

Passed March 17, 1757. Referred for consideration by the King in Council, January 27, 1758, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and the Act of Assembly passed April 8, 1758, Chapter 429.

CHAPTER CCCXXII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR GRANTING THE SUM OF SIXTY THOUSAND POUNDS TO THE KING'S USE AND FOR STRIKING FIFTY-FIVE THOUSAND POUNDS THEREOF IN BILLS OF CREDIT, AND TO PROVIDE A FUND FOR SINKING THE SAME,"¹ AND FOR GRANTING TO HIS MAJESTY THE ADDITIONAL SUM OF ONE HUNDRED THOUSAND POUNDS.

Whereas by an act of general assembly of this province, passed in the twenty-ninth year of the present reign, entitled "An act for granting the sum of sixty thousand pounds to the King's use and for striking fifty-five thousand pounds thereof in bills of credit and to provide a fund for sinking the same," it was declared and enacted that fifty-five thousand pounds in bills of credit to be struck by virtue of the said act should be given to the King's use, and that to sink the same there should be levied on all estates real and personal within this province of all and every person and persons (the estates of the Honorable Thomas Penn and Richard Penn, Esquires, proprietaries of the province of Pennsylvania, only excepted, in consideration of their free gift thereafter-mentioned) the sum of six pence for every pound clear value of the said estates yearly for the

¹ Passed November 27, 1755, Chapter 406.

space of four years, to be paid by the owners or possessors thereof, and that every single freeman, whether residing with his parents or elsewhere, who at the time of the assessment should be of the age of twenty-one years and had been out of his apprenticeship or servitude for the space of six months and was not worth in goods or chattels thirty pounds, should pay the sum of ten shillings, except such as then were or thereafter should be engaged in His Majesty's service. And whereas the said sum of sixty thousand pounds hath in this time of war been found insufficient for the defense of this province and other exigencies for His Majesty's service during four years, and the fifty-five thousand pounds struck and issued by virtue of the said act are expended, together with thirty thousand pounds since granted by an excise on spirituous liquors, and a farther sum is now wanted for the purpose aforesaid:

We the representatives of the freemen of the province of Pennsylvania, as a further testimony of the loyalty and sincere affection of His Majesty's dutiful subjects in the said province, do hereby freely give and grant an additional sum of one hundred thousand pounds, and do pray that it may be enacted:

[Section I.] And be it enacted by the Honorable William Denny, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That one hundred thousand pounds by this act to be raised be given and granted to His Majesty for the defense of this province and other purposes for His Majesty's service, and that forty-five thousand pounds, part thereof, be struck in bills of credit, to be issued and applied as hereinafter-directed.

And to the end the forty-five thousand pounds in bills so to be issued may be duly sunk and destroyed:

[Section II.] Be it further enacted by the authority aforesaid, That the commissioners and assessors of the respective counties of this province, in the several rates and assessments by them to be laid and collected by virtue of the said act, shall

to every six-pence in the pound add one shilling, and to every ten shillings per head add ten shillings, and in every other respect shall act and proceed in the same manner as by the said act they are enjoined and directed.

Provided nevertheless, That if the commissioners and assessors of any of the counties of this province have already levied the said six pence in the pound and ten shillings per head for the first year as directed by the said act, they shall and are hereby directed and enjoined to add to each rate the sum of one shilling in the pound and ten shillings per head on the last assessment, and cause the same to be collected before they proceed to lay the second year's tax, anything in this act or any other act to the contrary notwithstanding.

[Section III.] And be it further enacted by the authority aforesaid, That the provincial treasurer shall out of the money paid into his hands by virtue of this and the said act, yearly and every year for the space of four years next ensuing, pay into the hands of the trustees of the general loan office for the time being, over and besides the sum of thirteen thousand seven hundred and fifty pounds in bills of credit of this province by the said act directed, the further sum of eleven thousand two hundred and fifty pounds in like bills of credit, which shall be burnt and destroyed in the same manner and at the same times as the said first mentioned sum of thirteen thousand seven hundred and fifty pounds is directed to be burnt and destroyed. And out of the residue of the moneys to come to his hands by virtue of this and the aforesaid act he shall during four years next ensuing pay yearly to the provincial commissioners hereinafter-named the sum of thirteen thousand seven hundred and fifty pounds, which four yearly payments, making in the whole fifty-five thousand pounds, will, with the forty-five thousand pounds herein directed to be struck and issued, complete the one hundred thousand pounds hereby given and granted.

[Section IV.] And be it further enacted by the authority aforesaid, That the provincial treasurer before his entrance upon the execution of the duties enjoined him by this act shall become bound to the governor or commander-in-chief of this province for the time being, with one or more sureties, in an obli-

gation of five thousand pounds conditioned for the true observation of this act and the duty which to the said office doth appertain.

And the said provincial treasurer for his trouble in receiving and paying the moneys and performing the duties by this act required shall have and receive five shillings for every hundred pounds and no more.

And the said trustees for their trouble in receiving and sinking the said bills shall have and receive ten shillings for every hundred pounds and no more.

And forasmuch as money is immediately wanted to pay the four months' arrears now due to the provincial forces and for other purposes for the King's service, and the taxes by this act to be raised cannot suddenly produce the necessary sums:

[Section V.] Be it further enacted by the authority aforesaid, That bills of credit to the value of forty-five thousand pounds current money of America, according to an act of Parliament made in the sixth year of the reign of the late Queen Anne for ascertaining the rates of foreign coins in the plantations of America, shall be prepared and printed within one month next after the passing of this act on good, strong paper under the care and direction of the trustees of the general loan office for the time being, which bills shall be made and prepared in the manner and form following and no other, viz.:

This bill shall pass current for ————— within the province of Pennsylvania, according to an act of general assembly of the said province made in the thirtieth year of [the reign of] King George the Second. Dated the tenth day of March, one thousand seven hundred [and] fifty-seven.

And the same bills shall have such like escutcheons as in the margin hereof, with such other devices on the said bills as the said trustees shall think fit, as well to prevent counterfeits as to distinguish their several denominations; each of which bills shall be of the several and respective denominations following, and no other, viz.:



Eighteen thousand of the same bills, the sum of twenty shillings in each of them.

Eighteen thousand of the same bills, the sum of fifteen shillings in each of them.

Eighteen thousand of the same bills, the sum of ten shillings in each of them.

Eighteen thousand of the same bills, the sum of five shillings in each of them.

And the trustees shall use the best of their care, attention and diligence during the printing of the said bills that the number and amount thereof according to their respective denominations aforesaid be not exceeded nor any clandestine or fraudulent practice used by the printer, his servants or others concerned therein.

And for perfecting the said bills, to make them current within this province, according to the true intent and meaning of this act:

[Section VI.] Be it further enacted by the authority aforesaid, That all and every of the said bills shall be signed by three of the persons hereafter named: (That is to say) Henry Harrison, Peter Reeve, Joseph Morris, William Morris, Junior, Buckridge Sims, James Child, Stephen Carmick, Thomas Clifford, Thomas Bourne, John Swift, John Rhea, John Ord, Edward Duffield, Matthew Clarkson, Thomas Say, Thomas Carpenter, Thomas Moore, James Wharton, John Hughes, John Lynn, Plunket Flee-son, Samuel Howell, George Emlen and Joseph Hilborn, who are hereby nominated and appointed to be signers of the said bills, and shall before they receive or sign any of the said bills take an oath or affirmation to the following effect, viz.:

That they shall well and truly sign and number all the bills of credit that shall come to their hands for that purpose by the direction of this act, and the same so signed and numbered will deliver or cause to be delivered unto the trustees of the general loan office of the province of Pennsylvania, pursuant to the direction of this act.

And for avoiding the danger of embezzlement or misapplication of any of the said bills of credit:

[Section VII.] It is hereby further enacted, ordained and provided, That the said trustees after the said bills are printed shall deliver them to the said signers to be signed and numbered by parcels, for which the said signers or some of them shall give

their receipt: (That is to say) one thousand pounds value in the said bills at one time, and so from time to time until all the said bills of credit shall be signed and numbered. Of all which bills of credit so delivered to be signed by the trustees true accounts shall be kept by the signers, who upon their re-delivery of each or any parcel of the said bills of credit by them signed and numbered to the trustees of the general loan office shall take the receipt of the said trustees, to charge them before any committee of the assembly to be appointed for that purpose.

And each of the said signers shall have fifteen shillings for every thousand of the aforesaid bills by them signed and numbered, to be paid by the provincial treasurer out of the first money that shall come to his hands by virtue of this act. And if any of the persons before nominated to be signers shall happen to die, neglect or refuse, or be rendered incapable of doing his or their duty by this act required, the assembly for the time being shall or may appoint some other person or persons in his or their stead from time to time until all the bills hereby directed to be made be wholly signed and numbered as aforesaid.

[Section VIII.] And be it further enacted by the authority aforesaid, That all the aforesaid bills of credit to be made as this act directs shall be current bills of this province until the tenth day of March in the year one thousand seven hundred and sixty-one and no longer, and as such during the said term be received in payments for the discharge of all manner of debts, rents, sum and sums of money whatsoever due, payable or accruing upon or by reason of any mortgage [bill, bond, specialty], note, book account, promise or other contract or cause whatsoever, as if the same were tendered or paid in the coins mentioned in such bond or other writing, book account, promise, assumption or any other contract or cause whatsoever, and at the rates ascertained in the said act of Parliament, and shall be so received in all payments by all persons whatsoever.

[Section IX.] And be it further enacted by the authority aforesaid, That if any person or persons shall presume to counterfeit any of the said bills of credit made current by this act by printing or procuring the same to be printed in the likeness of the said genuine bills of credit, and also if any person or

persons shall forge the name or names of the signers of the true bills of credit to such counterfeit bills, whether the counterfeiting of the said bills or names be done within this province or elsewhere, or shall utter such bills knowing them to be so counterfeited as aforesaid, and being thereof legally convicted by confession, standing mute or by the verdict of twelve men in any court of record within this province, he, she or they shall suffer death without benefit of the clergy. And the discoverer or informer shall have as an encouragement for his discovery the sum of fifty pounds of the goods and chattels, lands and tenements of the person convicted; and if no such goods and chattels can be found, then the treasurer shall pay to such informer or discoverer, his executors, administrators or assigns, the sum of ten pounds. And if any person or persons shall counterfeit any of the said bills of credit of this province by altering the denomination of the said bills with design to increase the value of such bills, or shall utter such bills knowing them to be so counterfeited or altered as aforesaid and shall thereof be legally convicted in any court of record in this province, such person or persons shall be sentenced to the pillory and [to] have both his or her ears cut off and nailed to the pillory, and to be publicly whipped on his or her bare back with thirty-one lashes well laid on. And moreover, every such offender shall forfeit the sum of one hundred pounds lawful money of Pennsylvania, to be levied on his or her lands and tenements, goods and chattels, the one-half to the use of the governor and the other half to the discoverer; and the offender shall pay to the party grieved double the value of the damages thereby sustained, together with the costs and charges of prosecution. And in case the offender hath not sufficient to satisfy the discoverer for his or her damages and charges and pay the forfeiture aforesaid, in such case the offender shall by order of the court where he or she was convicted be sold for any term not exceeding seven years for satisfaction, and in such case the said treasurer shall reward the discoverer of such insolvent offender to the value of five pounds. And every such counterfeit bill shall be delivered to the said treasurer to be made use of upon the trial of the person accused or suspected and afterwards to be burnt and destroyed by the said treasurer in the presence of a committee of assembly.

[Section X.] And be it further enacted by the authority aforesaid, That Lynford Lardner, John Mifflin, Joseph Fox, John Hughes, William Masters, Joseph Galloway and John Baynton, Esquires, or the major part of them or of the survivors of them, with the consent and approbation of the governor or commander-in-chief of this province for the time being and not otherwise, shall order and appoint the disposition of the sum of one hundred thousand pounds arising by virtue of this act for and towards the supporting eleven hundred men, officers included, to be employed as ranging companies on the frontiers of this province and for making incursions upon the enemy, and three hundred men to remain in garrison, and for building, equipping and maintaining a vessel-of-war for the protection of trade and for other purposes for His Majesty's service. And the orders or receipts of the said Lynford Lardner, John Mifflin, Joseph Fox, John Hughes, William Masters, Joseph Galloway and John Baynton or of a majority of them or of the survivors of them to the trustees of the general loan office for the forty-five thousand pounds in new bills of credit by this act directed to be printed, and to the provincial treasurer for the fifty-five thousand [pounds] he is to pay them out of the taxes to be levied by virtue of this act, shall discharge them and him respectively of so much of the said sums of forty-five thousand pounds and fifty-five thousand pounds as may be in such receipts expressed, and such receipts shall be produced to the committees of assembly for the time being appointed or to be appointed for auditing the public accounts and be by them allowed in the settlement of the accounts of the said trustees and treasurer. And the said commissioners for their trouble in discharging the duties of commissioners hereby required shall have and receive one *per centum* on the whole sum of the orders by them drawn and no more.

And whereas the commissioners nominated and appointed by an act of general assembly of this province, entitled "An act for striking the sum of thirty thousand pounds in bills of credit and giving the same to the King's use, and for providing a fund to sink the bills so to be emitted by laying an excise on wine,

rum, brandy and other spirits,"¹ have with the consent of the governor already expended the said sum of thirty thousand pounds, and have entered into contracts for the King's service in the defense of this province for the defraying whereof there are at present no subsisting funds.

[Section XI.] Therefore be it enacted by the authority aforesaid, That the trustees of the general loan office shall and they are hereby authorized and empowered out of the moneys arising by virtue of this act to pay and discharge all such debts and contracts as the commissioners, appointed by the act hereinbefore-mentioned for granting thirty thousand pounds to the King's use, shall certify under their hands or the hands of the major part of them to be debts justly due and contracts entered into for the King's service and properly chargeable to this province.

[Section XII.] And be it further enacted by the authority aforesaid, That if the additional yearly tax hereby to be laid and levied of one shilling in the pound and ten shillings per head shall not be sufficient in four years to sink the forty-five thousand pounds hereby to be issued and pay the fifty-five thousand pounds as hereinbefore-directed and defray all incident charges, in such case [the same] additional tax shall be continued in the next succeeding year or years till the aforesaid sums are fully completed. And if the said additional tax shall produce more than the said sums, the incident charges as aforesaid being defrayed, the overplus shall be disposed of in such manner as by act of general assembly of this province shall be hereafter ordered and directed.

Passed March 23, 1757. Referred for consideration by the King in Council, January 27, 1758, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and notes to the Acts of Assembly passed March 5, 1725-26, Chapter 289; November 27, 1755, Chapter 406. The Act in the text was continued by the Act of Assembly passed April 22, 1758, Chapter 431; April 17, 1759, Chapter 437.

¹ Passed September 21, 1756, Chapter 412.