

CHAPTER CCCCLXX.

AN ACT FOR APPOINTING CERTAIN PERSONS HEREINAFTER NAMED TO APPLY FOR AND RECEIVE THE DISTRIBUTIVE SHARES AND PROPORTIONS WHICH ARE OR SHALL BE ALLOTTED TO THIS PROVINCE OUT OF THE SUM OR SUMS OF MONEY GRANTED, OR TO BE GRANTED, BY PARLIAMENT TO HIS MAJESTY'S COLONIES IN AMERICA.

Whereas in pursuance of several most gracious recommendations from the Throne to the Parliament of Great Britain, they have been pleased to grant several large sums of money towards making a compensation for the aids and supplies granted to His Majesty by this province and the other colonies in America during the present war, agreeable to His Majesty's requisitions by his Secretary of State's letters, part of which said grants hath been already received, being the sum of twenty-six thousand nine hundred and two pounds eight shillings: And whereas we have been informed by our agents that a further allotment or proportion has been made by the lords of the treasury of the Parliamentary grant for the year one thousand seven hundred and fifty-nine wherein the apportioned part of this province is nearly the same with that heretofore received for the year one thousand seven hundred and fifty-eight. And whereas it is necessary that some persons be appointed in behalf of this province and invested with proper powers and authority to apply for and to have, take and receive of and from His Majesty or such person or persons as he shall be graciously pleased to appoint for the payment thereof the sum or sums of money which is, are or shall be allotted, given and granted to this province as its distributive share granted or to be granted as aforesaid:

[Section I.] Therefore be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and 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 John Sargent, George Aufrere, David Barclay, junior, and John Barclay, merchants in London, or the survivor or survivors of them are hereby appointed and fully authorized and empowered in a due and proper manner to make application to His Majesty or such person or persons as shall be appointed for the payment thereof for the further sum or sums of money which is, are or shall be allotted to this colony as the distributive share and proportion of the said sum or sums of money granted and apportioned or hereafter to be granted as aforesaid, and to have, take and receive the same of and from such person or persons as shall be appointed for the payment thereof and when received to deposit the same in the Bank of England or some other safe place in their names but for the use of this province, subject to the drafts and bills of exchange to be drawn upon them [the] said John Sargent, George Aufrere, David Barclay, junior, and John Barclay or the survivors or survivor of them in the manner hereinafter directed.

[Section. II.] And be it further enacted by the authority aforesaid, That Thomas Leech, Charles Norris, Mahlon Kirkbride, Francis Yarnall and James Wright, the trustees of the general loan-office of this province, or any three of them, shall and they are hereby enjoined and required as soon as they shall be certified by the governor, the said John Sargent, George Aufrere, David Barclay, junior, and John Barclay, or either of them, that the said distributive share or shares have been received by the said John Sargent, George Aufrere, David Barclay, junior, and John Barclay, or either of them for the use of the province, to draw bills of exchange upon them the said John Sargent, George Aufrere, David Barclay, junior, and John Barclay, merchants of London, for the sum and sums of money already allotted in such manner as shall be most for the advantage and interest of this province (provided, nevertheless, that no bill of exchange or draft shall be made for any sum less than one hundred pounds sterling) until they shall have drawn for the whole sum so given, granted and allotted to this colony, and when drawn to sell and dispose [of] the said bills or drafts for the

best price that may be had for the same in bills of credit of this province, which bills or drafts shall be drawn in the following form and no other, That is to say:

“Exchange for £, Philadelphia,
At thirty days’ sight of this our first per exchange, our second, third and fourth of the same tenor and date unpaid, pay unto or order pounds sterling, for value received, and charge it to the province of Pennsylvania; but if it is not paid at said thirty days’ sight, then pay interest on that sum from the expiration of the said thirty days until paid at the rate of six pounds *per centum per annum*, and if this bill and interest is not paid in one year from the date hereof we do hereby oblige ourselves, our heirs, executors and administrators to pay the said bill with interest from the date thereof, at the above rate until paid, when it shall be returned with a protest to us, but no other damages; on this condition nevertheless, that if payment be not demanded within six months after the date of the said protest, the interest from that time shall determine and cease.

To John Sargent, George Aufrere, }
David Barclay, junior, and John } Trustees of the General
Barclay, merchants in London, or } Loan Office.
the survivors or survivor of them. }

[Section III.] And be it further enacted by the authority aforesaid, That no drafts or bills of exchange shall be made or drawn for any sum or sums of money granted or hereafter to be granted by the Parliament for the purposes aforesaid until the share or allotment granted and apportioned for the use of this colony be received and made known to the said trustees by the governor or the said John Sargent, George Aufrere, David Barclay, junior, and John Barclay or either of them; but when and so often as such grants and allotments shall be made known to the said trustees, then it shall and may be lawful for the said trustees, and they are hereby authorized and enjoined, forthwith to draw bills of exchange for the whole sum and sums of money so granted and received in the manner hereinbefore directed and appointed.

[Section IV.] And be it further enacted by the authority aforesaid, That the said Thomas Leech, Charles Norris, Mahlon Kirkbride, Francis Yarnall and James Wright shall and they are hereby authorized, empowered and enjoined, out of the

money that shall arise by or from the sale of such drafts or bills of exchange to pay and discharge all such certificates and drafts on the provincial treasurer as have been heretofore drawn by order of assembly for salaries of officers and services done the public which yet remain unpaid through a deficiency of money in the said provincial treasurer's hands to such purposes appointed, and also all such certificates as may be drawn for the service of the current year; and likewise to make payment to the masters or owners of servants heretofore enlisted into His Majesty's service and to the public house-keepers for quartering soldiers of all such sum and sums of money as shall appear to the governor and commissioners and be by them certified to be justly due and properly chargeable to this province; and the sum of three thousand pounds to be paid to the contributors to the Pennsylvania Hospital and applied by the managers in replacing the several sums borrowed from the capital stock and for such other purposes as they shall find necessary in carrying on the charitable design of the said hospital; and also the further sum of one thousand pounds to assist the undertakers and subscribers towards making the river Schuylkill navigable, to be paid to the commissioners for that purpose.

[Section V.] And be it further enacted by the authority aforesaid, That the said trustees shall, towards sinking the sum and sums of money heretofore granted to His Majesty's use and in abatement of the taxes directed to be laid for that purpose, pay and deliver all the remaining part of the money that shall arise by the sale of such drafts or bills of exchange within one month after making such payments as are hereinbefore mentioned and appointed into the hands of the committees of assembly who shall be yearly appointed to settle the public accounts in bills of credit of this province, which said bills of credit the said committees are hereby authorized, enjoined and required to burn, sink and destroy.

[Section VI.] And be it further enacted by the authority aforesaid, That the said trustees of the general loan office, for their trouble in receiving and paying the moneys and performing the duties required of them by this act, shall have and receive the sum of twenty shillings for every hundred pounds, and no more.

And that the said John Sargent, George Aufrere, David Barclay, junior, and John Barclay shall have and receive for their care and trouble in receiving the moneys and performing the duties required of them by this act the sum of twenty shillings for every hundred pounds, and no more.

Passed September 26, 1761. Referred for consideration by the King in Council, February 15, 1762, and allowed to become a law by lapse of time in accordance with the proprietary charter. See appendix XXIV, Section II, and the Acts of Assembly passed May 14, 1762, Chapter 483; March 4, 1763, Chapter 488; October 22, 1763, Chapter 505.

CHAPTER CCCCLXXI.

AN ACT FOR THE RELIEF OF WILLIAM GRIFFITTS, WITH RESPECT TO THE IMPRISONMENT OF HIS PERSON.

Whereas William Griffiths, of the city of Philadelphia, merchant, by his petition to this house hath set forth [that] by losses in trade for several years successively he found himself about eighteen months ago incapable of paying his creditors their respective just demands; whereupon, to do equal justice to each of them as far as lay in his power, by and with the approbation of far the greatest part of them, he did convey and deliver up to certain trustees named and chosen by a majority of the said creditors all and every part of his real and personal estate excepting only one hundred pounds reserved by the consent of his said creditors to pay certain poor persons for sums of money left in his, the said William Griffiths' hands to which said surrender of the said William Griffiths' real and personal estate his wife also added all her estate, amounting to several thousand pounds, on condition that his the said William Griffiths' body should be free from arrest and imprisonment; yet that some of his creditors refuse to agree (as almost all the rest of his creditors have done) to take their ratable proportion of what the whole of his and his wife's estates may produce, holding his body to bail and thereby obliging the trustees of the said estates to suspend