

marshy land situate in the counties of Philadelphia and Chester and for repairing and maintaining the banks, dams and sluices thereunto belonging,"¹ passed in the fifth year of the reign of King George the Third, as relates to the said bridge and road, shall be and is hereby declared to be repealed and made null and void to all intents and purposes whatsoever.

Passed February 21, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed April 12, 1760, Chapter 455.

CHAPTER DLIX.

AN ACT FOR RAISING THE SUM OF TWENTY THOUSAND POUNDS FOR THE SUPPORT OF THE GOVERNMENT OF THIS PROVINCE AND PAYMENT OF THE PUBLIC DEBTS.

Whereas through the scarcity of gold and silver within this province, occasioned by the frequent remittances thereof to Great Britain in discharge of the debts continually accruing by the importations of manufactures and merchandise from thence, together with the heavy taxes under which the inhabitants now labor for sinking the bills of credit emitted during the late war and granted to His Majesty for the protection of his American dominions, it would be extremely distressing to the people of this province to impose on them an additional tax to be immediately raised on their real and personal estate, yet being desirous of supporting the honor and dignity of the government, of discharging the debts and incidental expenses thereof, and of preserving the public credit, we, the representatives of the freemen of the [said] province, do pray that it may be enacted:

[Section I.] And be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprie-

¹ Passed February 15, 1765, Chapter 523.

taries 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 bills of credit to the value of twenty thousand pounds shall be prepared and printed within two months next after the passing of this act on good strong paper, under the care and direction of Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas, Esquires, or any three of them, the charges whereof shall be paid by the provincial treasurer out of the moneys arising or to arise by virtue of the act of assembly hereinafter recited and continued, which bills of credit shall be made and prepared in the manner and form following, viz.:

“This indented bill of _____ shall entitle the bearer to receive of the provincial treasurer the like sum of _____ in bills of credit of this province now current, according to the directions of an act of general assembly of Pennsylvania, made in the seventh year of the reign of His Majesty George the Third, Dated the _____ day of _____, one thousand seven hundred and sixty-seven.”

And the said bills shall have such like escutcheons as in the margin hereof, with such other devices as the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas shall think proper, as well to prevent counterfeits as to distinguish their several and respective denominations, each of which bills shall be of the several and respective denominations following and no other: That is to say,



Two thousand of the said bills, the sum of six pounds in each of them.

One thousand of the said bills, the sum of four pounds in each of them.

Two thousand of the said bills, the sum of forty shillings in each of them.

And the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas shall use their best 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 according to the true intent and meaning of this act:

[Section II.] Be it 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, by Joseph Richardson, James Pemberton, Isaac Jones, Samuel Rhoads, Jacob Lewis, Daniel Roberdeau, Thomas Wharton, John Mease and Isaac Greenleafe, who are hereby nominated and appointed to be signers of the said bills, and shall, before they receive or sign any of them, take an oath or affirmation to the following effect, viz.:

“That they shall well and truly sign and number all the bills 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 said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas pursuant to the direction of this act.”

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

[Section III.] Be it further enacted by the authority aforesaid, That the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas, after the said bills shall be printed, shall deliver them to the signers aforesaid to be signed and numbered by parcels, for which the said signers, or some of them, shall give their receipt: That is to say, four 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, in such manner that not more than the value of four thousand pounds shall remain in such signers' hands at one time, of all which said bills of credit so delivered to be signed a true account shall be kept by the signers, who, upon their redelivery of each or any parcel of the said bills by them signed and numbered, shall take the receipt of the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas to charge them before any committee of assembly to be appointed for that purpose. And each of the said signers shall receive fifteen shillings for every thou-

sand of the said bills by them signed and numbered, and each of the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas shall have and receive for their trouble the sum of ten shillings per diem; and the said treasurer, for paying and receiving the said bills of credit, shall have and receive ten shillings for every hundred pounds, and no more, to be paid by the provincial treasurer out of the moneys arising by the excise on spirituous liquors hereinafter mentioned.

[Section IV.] And be it further enacted by the authority aforesaid, That as soon as the said bills shall be signed, numbered and perfected, the said Joseph Galloway, Joseph Fox, Isaac Pearson and Michael Hillegas shall deliver them to the provincial treasurer and take his receipt or receipts for the same, who shall therewith pay off and discharge all such drafts and certificates as have been heretofore made by order of assembly, and in case there shall remain any surplus of the said bills of credit after the said certificates shall be paid off and discharged, such surplus shall be disposed of by act of general assembly.

[Section V.] 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 and issued by virtue of this act by printing or procuring the same to be printed in the likeness or similitude of the said bills of credit, or if any person or persons shall forge the name or names of the signers of the said true bills of credit to such counterfeit bills, whether the counterfeiting of the said bills of credit or names be done within this province or elsewhere, or shall utter such bills knowing them to be counterfeited as aforesaid and being thereof legally convicted by confession, standing mute or by the verdict of twelve men in any court of oyer and terminer within this province, he, she or they shall suffer death without benefit of clergy, and the discoverer or informer shall have as an encouragement to his discovery, the sum of fifty pounds of the value of the goods and chattels, lands and tenements of the person or persons convicted; and if no such goods and chattels, lands and tenements can be found, the sum of ten pounds, to be paid by the province; and if any person or persons shall counterfeit

any of the said bills of credit by altering the denomination thereof with design to increase the value of the said bills, or shall utter such bills, knowing them to be so counterfeited or altered, and shall thereof be legally convicted in any court of quarter sessions of the peace within this province, every such person and persons shall be sentenced to the pillory, have both of his or her ears cut off and nailed to the pillory and be publicly whipped on his or her bare back with thirty-nine lashes well laid on; and, moreover, every such offender shall forfeit the sum of one hundred pounds, to be levied on his or her lands, tenements, goods and chattels, one-half thereof 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 the prosecution; and in case the offender shall not have sufficient to satisfy such discoverer for his or her charges and damages and pay the forfeiture aforesaid, he or she shall be sold for any term not exceeding seven years to make such satisfaction; and in such case the said discoverer shall be paid by the province the sum of ten 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, sunk and destroyed in the presence of a committee of assembly.

And whereas by a certain act of general assembly passed in the third year of the reign of His present Majesty, entitled "An act for granting to His Majesty the sum of twenty-four thousand pounds for the defense and protection of this province and for other purposes therein mentioned,"¹ so much of a certain other act of general assembly passed in the thirtieth year of the reign of His late Majesty George the Second, 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 upon wine, rum, brandy and other spirits,"² as relates to the raising, levying, collecting and paying the excise upon wine, rum, brandy and other spirits was continued and extended from the time

¹ Passed October 22, 1763, Chapter 505.

² Passed September 21, 1756, Chapter 412.

limited in and by the same act for and during the term of three years and from thence to the end of the next sitting of assembly, in order to assure and secure the disposition and application of the sum of seven thousand pounds to and for the protection of the city of Philadelphia (to and for which purpose the same was by law granted to His Majesty), when it should become necessary:

And whereas, the said sum of money is not immediately necessary or wanted for the purpose aforesaid, and it is expedient that the said bills of credit directed to be hereby made and emitted should be paid off and discharged as soon as conveniently may be:

[Section VI.] Be it therefore enacted by the authority aforesaid, That so much of the said last-mentioned act of general assembly passed in the thirtieth year of the reign of His late Majesty George the Second as relates to the raising, levying, collecting and paying the excise upon wine, rum, brandy and other spirits, and all other the duties, fines, penalties, matters and things relative to the said excise directed and enjoined in and by the same last-mentioned act, be and are hereby further continued and extended for and during the term of four years and from thence to the end of the next sitting of assembly, and that the said provincial treasurer shall, and he is hereby enjoined and required, out of the current bills of credit of this province which now are or shall be in his hands arising from the said excise from time to time within the space of four years from and after the publication of this act, pay off and discharge all and every of the bills of credit made and emitted in and by virtue hereof, and shall upon such payment receive the same bills of their respective bearers and shall yearly, as they come to his hands, deliver over the same to such committees of assembly as shall be annually appointed to settle the public accounts to be by them burnt, sunk and destroyed.

[Section VIII.] And be it further enacted by the authority aforesaid, That the sum of seven thousand pounds, part of the moneys which shall arise and be paid to the provincial treasurer in and by virtue of the further continuance and extension of the act hereby continued and extended, shall be and is hereby de-

clared, after the said bills of credit hereby directed to be made and emitted shall be paid off, to be liable and subject to the drafts and orders of the same persons and shall be applied to and for building and erecting such fortifications as may be necessary for the protection and defense of the said city of Philadelphia as are mentioned and specified in the act of general assembly passed in the second year of the reign of His present Majesty, entitled "An act for granting to His Majesty the sum of twenty-three thousand pounds for the purposes therein mentioned,"¹ to all intents and purposes as if this act had never been made or passed.

[Section VIII.] And be it further enacted by the authority aforesaid, That if the excise levied and to be levied and paid by virtue of the act hereby extended during the term for which it is further continued shall not be sufficient to pay off and discharge the bills of credit hereby directed to be made and issued and to raise the [said] sum of seven thousand pounds and defray all the incidental charges aforesaid, in such case the said act of general assembly so extended as aforesaid shall be continued until all the purposes aforesaid shall be fully answered and completed; and if the said excise shall, within the term aforesaid, produce more than sufficient for the purposes aforesaid, the overplus shall remain in the hands of the provincial treasurer to be disposed of by act of general assembly.

[Section IX.] And be it further enacted by the authority aforesaid, That the several collectors of excise within this province now in office and such as shall be hereafter appointed shall and they are hereby enjoined and required, within two months after the publication of this act or within one month after such appointment to give bonds with two sufficient sureties to the said treasurer in manner following: That is to say, the collector of the excise for the county of Philadelphia in the sum of two thousand pounds, and the several collectors of the counties of Bucks, Chester and Lancaster in the sum of six hundred pounds, and the several collectors of the counties of York, Cumberland, Berks and Northampton in the sum of three hundred pounds, for the faithful discharge of their respective duties and

¹ Passed May 14, 1762, Chapter 483.

for their respective accounting for and paying all such sums of money as they shall from time to time receive for the excise aforesaid.

Passed May 20, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II, and the note to the Act of Assembly passed March 5, 1725-26, Chapter 289; and the Act of Assembly passed September 26, 1767, Chapter 569.

As to Sections VI-IX, see the Act of Assembly passed February 17, 1768, Chapter 571.

CHAPTER DLX.

AN ACT TO AMEND THE ACT, ENTITLED "AN ACT FOR ESTABLISHING COURTS OF JUDICATURE WITHIN THIS PROVINCE." ¹

Whereas it has been found inconvenient for the judges of the Supreme Court of this province to ride the circuit and to try the issues joined in the said court in causes removed from the respective counties of Chester and Bucks on the days and times appointed for that purpose in and by the act of general assembly of this province passed in the eighth year of His Majesty George the First, entitled "An act for establishing courts of judicature within this province," ¹ whereby a practice has been introduced of trying all issues in fact joined in causes which have been removed from the several counties thereof into the said court at the city of Philadelphia, which has often obliged the parties, jurymen and witnesses to attend from the most remote parts of the province at the said city, to their very great and unnecessary expense and aggrievance:

For remedy whereof, we, the representatives of the freemen of the province of Pennsylvania, do pray that it may be enacted:

[Section I.] And be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of New-

¹ Passed May 22, 1722, Chapter 255.