

aforesaid, That the said treasurer shall and he is hereby enjoined and required in the paying off and discharging the said bills to receive in exchange all such of the same as are torn, ragged and defaced and tendered to him for that purpose.

[Section X.] And be it further enacted by the authority aforesaid, That so much of the said recited acts of g[eneral] assembly [as is] hereby altered and supplied shall be and is hereby declared to be repealed, null and void, and that the residue thereof shall be and remain in full force and virtue to all intents and purposes as if this act had never been made.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I, and the note to the Act of Assembly passed February 8, 1766, Chapter 534.

CHAPTER DLXXX.

AN ACT FOR RAISING THE SUM OF SIXTEEN THOUSAND POUNDS FOR THE SUPPORT OF THE GOVERNMENT OF THIS PROVINCE AND THE PAYMENT OF THE PUBLIC DEBTS AND OTHER PURPOSES THEREIN MENTIONED.

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 levied on their real and personal estates, yet we, the representatives of the freemen of the said province, 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, 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 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 sixteen 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, Michael Hillegas and Isaac Pearson, 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 of equal value with the same sum of the bills of credit now by law current according to the directions of an act of general assembly of Pennsylvania made in the ninth year of the reign of His Majesty George the Third, dated the first day of March, one thousand seven hundred and sixty-nine.”

And the said bills shall have such like es-cutcheons as in the margin hereof, with such other devices as the said Joseph Galloway, Joseph Fox, Michael Hillegas and Isaac Pearson 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:



Three thousand of the same bills, the sum of three pounds in each of them.

Four thousand of the same bills, the sum of thirty shillings in each of them.

One thousand of the same bills, the sum of twelve shillings in each of them.

One thousand of the same bills, the sum of eight shillings in each of them.

And the said Joseph Galloway, Joseph Fox, Michael Hillegas and Isaac Pearson 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, Joseph Richardson, John Reynell, Israel Pemberton, Isaac Jones, Daniel Roberdeau, John Gibson, John Nixon, Thomas Wharton and Isaac Greenleaf, 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 effect following, 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, Michael Hillegas and Isaac Pearson, or any three of them, 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, Michael Hillegas and Isaac Pearson, or any three of them, 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 re-delivery 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, Michael Hillegas and Isaac Pearson, or any three of them, 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 thousand of the said bills by them signed and numbered, and each of the said Joseph Galloway, Joseph Fox, Michael Hillegas and Isaac Pearson 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 and discharged 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, Michael Hillegas and Isaac Pearson, or any three of them, 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 whereas the State House of this province is much out of repair and a sum of money is necessary to enable the trustees of the said house to amend and repair the same and to inclose the ground thereunto belonging:

[Section V.] Be it therefore enacted by the authority aforesaid, That the said trustees, or a majority of them, shall and they are hereby authorized and empowered to sell and dispose of the old houses erected on the south side of the said ground for the best price that may be had for the same, and to apply the moneys arising from the said sale towards the amending and repairing the said house and improving the said ground and inclosing the same with a brick wall; and that the said treasurer, with the bills of credit aforesaid, shall pay off and discharge such drafts and orders as they, the said trustees, or a majority of them, shall draw for the purposes aforesaid, after the moneys arising from such sale shall be expended; and in case there shall remain any surplus of the said bills of credit after the said cer-

tificates, drafts and orders shall be paid off and discharged, such surplus shall be disposed of by act of general assembly.

[Section VI.] And be it further enacted by the authority aforesaid, That the said trustees, as soon as the said house shall be repaired and other matters and things herein enjoined shall be by them done and performed, shall lay their accounts thereof before the committee of assembly for the time being appointed for settling the public accounts, to be by them adjusted and settled.

[Section VII.] 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 or 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 hun-

dred 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 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 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 secure and assure 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 by another act of general assembly passed in the seventh year of His present Majesty's reign, entitled "An

¹ Passed October 22, 1763, Chapter 505.

² Passed September 21, 1756, Chapter 412.

act for raising the sum of twenty thousand pounds for the support of the government of this province and payment of the public debts,"¹ so much of the said act, entitled "An act for striking thirty thousand pounds in bills of credit," &c.,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 limited in and by the said hereinbefore last-recited act for and during the further term of four years and from thence to the end of the next sitting of assembly in order to sink the bills of credit by the same act emitted:

And whereas by another act of general assembly passed in the eighth year of His present Majesty's reign, entitled "An act for raising and applying the sum of three thousand pounds towards removing the present discontent of the Indians, regaining their friendship and for other purposes therein mentioned,"³ so much of the said act, entitled "An act for striking the sum of thirty thousand pounds in bills of credit," &c.,⁴ as relates to the raising, levying and collecting the excise upon wine, rum, brandy and other spirituous liquors was continued and extended from the time limited in and by the said hereinbefore last-recited act for and during the further term of one year and from thence to the end of the next sitting of assembly in order to sink the bills of credit appropriated and applied to the uses and purposes therein mentioned:

And whereas 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 VIII.] Be it therefore enacted by the authority aforesaid, That so much of the said act, entitled "An act for striking the sum of thirty thousand pounds in bills of credit," &c.,⁴ 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 rela-

¹ Passed May 20, 1767, Chapter 559.

² Passed September 21, 1756, Chapter 412.

³ Passed February 17, 1768, Chapter 571.

⁴ Passed September 21, 1756, Chapter 412.

tive 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 the said provincial treasurer shall and he is hereby enjoined and required out of the moneys which shall be in his hands arising from the said excise from time to time within the space of nine years from and after the publication of this act to pay off and discharge all and every 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 IX.] And be it further enacted by the authority aforesaid, That if the excise, levied and paid by virtue of the act hereby extended during the term aforesaid 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 the other purposes in the said several recited acts for continuing the same mentioned and specified with 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.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I, and the note to the Act of Assembly passed March 5, 1725-26, Chapter 289; and the Acts of Assembly passed September 30, 1769, Chapter 599; September 29, 1770, Chapter 617; March 21, 1772, Chapter 656; September 19, 1772, Chapter 670; September 30, 1775, Chapter 715; March 23, 1778, Chapter 791.

As to Sections VIII and IX, see the note to the Act of Assembly passed September 21, 1756, Chapter 412; and the Act of Assembly passed March 21, 1772, Chapter 656.