

CHAPTER DCCVII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR ERECTING A NEW GAOL, WORKHOUSE AND HOUSE OF CORRECTION IN THE CITY OF PHILADELPHIA."¹

Whereas in and by the act of assembly, entitled "An act for erecting a new gaol, workhouse and house of correction in the city of Philadelphia,"¹ it is enacted that it shall and may be lawful to and for the commissioners for the county of Philadelphia to borrow on interest from any person or persons, bodies politic or corporate, who shall be willing to lend, any sum or sums of money which they shall think sufficient and necessary for the purpose of purchasing (with the approbation of the mayor and recorder of the city of Philadelphia and any two justices of the county court of quarter sessions for the county of Philadelphia) a lot of ground in some convenient part of the said city and erecting thereon a commodious, strong and sufficient gaol, workhouse and house of correction:

And whereas in and by the said recited act the said commissioners were empowered and required to sell the lot or piece of ground on which the present gaol, workhouse and house of correction now stand with the buildings thereon erected to any person or persons who should be willing to purchase the same, and upon receipt of the purchase-money to pay the sums so borrowed with the interest then due, and if the sale of the said lot and buildings should not produce money sufficient for the purposes aforesaid, such deficiency should be paid and satisfied by a just and ratable tax or assessment to be laid, assessed and levied on all estates real and personal within the said city and county:

And whereas the said commissioners have represented to the assembly that in pursuance of the powers given them by the said recited act they have already borrowed on interest about

¹ Passed February 26, 1773, Chapter 673.

the sum of thirteen thousand pounds and that it will require about twelve thousand pounds more to complete the building of the said new gaol, workhouse and house of correction; that it would be distressing and grievous to the inhabitants of the said city and county to pay by tax the sums already borrowed and to be borrowed with the lawful interest growing thereupon, inasmuch as the paying only the interest out of the county levy will reduce the same so low as to prevent the commissioners from performing many services necessary for the said county:

For remedy whereof:

[Section I.] Be it enacted by the Honorable John Penn, Esquire, Governor and Commander in Chief of the Province of Pennsylvania, by and with the consent and advice 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-five thousand pounds shall be prepared and printed within three months after the passing of this act on good, strong paper, under the care and direction of Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker, the charges whereof shall be paid by the county treasurer out of the moneys in his hands by virtue of the act, entitled "An act for raising of county rates and levies,"¹ which bills of credit shall be made and prepared in the manner and form following, viz.:



..... according to an act of general assembly of Pennsylvania passed in the fifteenth year of the reign of His Majesty, George the Third. Dated the tenth day of April, Anno Domini one thousand seven hundred and seventy-five.

And the said bills shall have such like escutcheons as in the margin hereof, with such other devices as the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker 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,

¹ Passed March 20, 1724, Chapter 284.

Three thousand three hundred and thirty-three of the same bills, the sum of five pounds in each of them.

And three thousand three hundred and thirty-four of the same bills, the sum of fifty shillings in each of them.

And the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker shall use their best care, attention and diligence during the printing of the said bills that the amount thereof according to the 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 any of the persons hereinafter mentioned: That is to say, by Lindsay Coates, Job Bacon and Edward Roberts, 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 Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker 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 enacted by the authority aforesaid, That the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker 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, two thousand pounds value in the said bills to them 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 two 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 the redelivery of each or any parcel of the said bills by them signed and numbered shall take the receipt of the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker 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 ten shillings for every thousand of the said bills by them signed and numbered, and each of the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker shall have and receive for their trouble the sum of ten shillings per diem.

[Section IV.] And be it further enacted by the authority aforesaid, That as soon as the said bills shall be printed, signed and numbered the said Isaac Pearson, George Gray, Michael Hillegas and Joseph Parker or any three of them shall deliver them to the commissioners of the county of Philadelphia for the time being, who shall in the first place pay off and discharge all such certificates as have been drawn and delivered to such person or persons, bodies politic or corporate as have lent money for the purposes aforesaid, and afterwards pay for such materials and workmanship as will be necessary for completing the said gaol, workhouse and house of correction. And if any overplus shall remain after completing the said gaol, workhouse and house of correction, the said commissioners are hereby enjoined and required to pay the same into the hands of such committees of assembly as shall be appointed to settle the public accounts, to be by them burnt and destroyed, and the overplus so sunk shall be allowed by the said committees of assembly in abatement of the taxes to be assessed, raised and levied in and by the directions of this act.

[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 county treasurer. 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 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 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 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 county treasurer 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 for the more certain sinking and discharging the said bills of credit hereby emitted:

[Section VI.] Be it enacted by the authority aforesaid, That the said commissioners shall and they are hereby enjoined and

required to grant, bargain and sell the said lot or piece of ground on which the old gaol, workhouse and house of correction now stand with the buildings thereon erected in the manner ordered and prescribed in and by the said recited act, for the greatest sum or sums of money that can be procured for the same, and the money arising upon such sale shall be paid into the hands of the county treasurer, who shall and he is hereby enjoined and required to pay off, discharge and redeem so many of the said bills of credit hereby directed to be emitted as the said sales shall amount to, but in case the said commissioners shall not be able by the sale of the said old gaol, workhouse and house of correction to pay off and discharge all the said bills of credit, that then and in such case the deficiency shall be paid and satisfied by a just and ratable annual tax or assessment of six pence in every pound, to be laid, assessed and levied from and after the first day of October in the year one thousand seven hundred and seventy-six on all estates real and personal within the said city and county by the same persons under the same pains and penalties, to be recovered in the same manner as other county rates and taxes are or shall be laid, assessed and levied, agreeable to the directions of the act of general assembly passed in the eleventh year of His late Majesty George the First, entitled "An act for raising of county rates and levies,"¹ except only so much thereof as relates to single freemen, and that the sum of ten shillings be annually assessed and levied upon every single freeman within the said city and county, and when so levied to be paid to the said county treasurer, to be by him applied to the payment and discharge of the residue of the said bills of credit.

[Section VII.] And be it enacted by the authority aforesaid, That the said treasurer upon such payment and discharge of every of the said bills of credit shall receive the same of the respective bearers, and yearly as they come to his hands deliver them over to such committee of assembly for the time being as shall be appointed to settle the public accounts, to be by them burnt, sunk and destroyed. And that the said treasurer shall have and receive for his trouble in receiving and paying the said

¹ Passed March 20, 1724, Chapter 284.

bills ten shillings for every hundred pounds he shall so receive and pay to the said committee of assembly.

[Section VIII.] And be it further enacted by the authority aforesaid, That so much of the said first-recited act of general assembly as is hereby altered and supplied shall be and is hereby declared to be repealed, made 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 March 18, 1775. Referred for consideration by the King in Council, July 21, 1775, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXXII, and the notes to the Act of Assembly passed March 5, 1725-26, Chapter 289; February 26, 1773, Chapter 673.

CHAPTER DCCVIII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT APPOINTING WARDENS FOR THE PORT OF PHILADELPHIA AND FOR OTHER PURPOSES THEREIN MENTIONED." ¹

Whereas the wardens of the port of Philadelphia have represented to the assembly that in pursuance of the act of general assembly of this province for appointing wardens for the port of Philadelphia and for other purposes therein mentioned they have discharged the debts due for building a lighthouse at Cape Henlopen, completed several piers and formed a safe and commodious harbor at Fort Island, and have also sunk three piers at Reedy Island, by which the money struck by virtue of the aforesaid act has been expended; that the sum of six thousand pounds is still wanting to complete a further number of convenient piers for the more perfect security of the navigation of the bay and river of Delaware and for the improvement of the commerce of the province:

[Section I.] Be it therefore enacted by the Honorable John Penn, Esquire, Governor and Commander in Chief of the Province of Pennsylvania, by and with the consent and advice of the

¹ Passed February 26, 1773, Chapter 671.