

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the said first-recited act of general assembly as is hereby altered and supplied shall be and is hereby declared to be repealed, made null and void, and that the residue thereof shall be and remain in full force and virtue to all intents and purposes as if this act had never been made.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.

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 six 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 George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker, Esquires, the charges whereof shall be paid by the provincial treasurer out of the moneys in his hands arising by the duty of tonnage to be levied by this act, 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 thirteenth year of the reign of His Majesty, George the Third. Dated the twenty-fifth day of March, 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 George Gray, Michael Hillegas, Isaac Pearson 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,

Three thousand of the same bills, the sum of four shillings in each of them;

Three thousand of the same bills, the sum of six shillings in each of them;

Three thousand of the same bills, the sum of fourteen shillings in each of them;

Three thousand of the same bills, the sum of sixteen shillings in each of them.

And the said George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker shall use their best care, attention and diligence during the printing of the said bills that the 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 any three of the persons hereinafter mentioned: That is to say, James Wharton, Richard Vaux, Ezekiel Edwards, William Wishart, Charles Wharton and Samuel Coates, 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 directions of this act, and the same so signed and numbered will deliver or cause to be delivered unto the said George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker or any two of them pursuant to the direction of this [act].

And for the 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 George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker, or any two 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 any three of them at any 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 their redelivery of each or any parcel of the said bills by them signed and numbered shall take the receipt of the said George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker or any two of them to charge them before any committee of assembly to be appointed for that purpose.

And each of the signers shall receive ten shillings for every thousand of the said bills by them signed and numbered; and each of the said George Gray, Michael Hillegas, Isaac Pearson

and Joseph Parker shall have and receive for their trouble ten shillings per diem, and the provincial 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 said treasurer out of the moneys in his hands arising by the duties of tonnage to be levied by virtue of this act.

[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 George Gray, Michael Hillegas, Isaac Pearson and Joseph Parker or any two 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 orders as may be drawn on him by the said wardens of the port of Philadelphia for the purposes mentioned in 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, to be levied 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 provincial treasurer out of the moneys arising by the duty of tonnage to be levied by virtue of this act; 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 discover[er], 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 provincial treasurer out of the moneys arising by the duty of tonnage to be levied as aforesaid 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 and destroyed in the presence of a committee of assembly.

[Section VI.] And be it further enacted by the authority aforesaid, That the wardens of the port of Philadelphia or a majority of them shall and they are hereby enjoined and required with all convenient speed after the passing of this act to purchase so much land in such parts or places for building and erecting thereon such other piers (and to contract with any person or persons for the use of such pier or piers as are already erected, and to extend, improve and repair the same) as they shall think necessary to render the navigation in the said river and bay more safe in the winter season, and on the said land so bought to build and erect the said piers and to agree on, do, execute and perform all and every other act, matter and thing relating to the premises as shall appear necessary for the purposes aforesaid; and in order to defray the expenses thereof the said wardens or a majority of them shall draw orders on the provin-

cial treasurer, who shall discharge the same out of the bills of credit hereby directed to be emitted.

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 VII.] Be it enacted by the authority aforesaid, That so much of the said act to which this [is] a supplement as relates to the laying, raising, collecting and paying a duty of tonnage upon all ships and other vessels coming into or going out of this province (His Majesty's ships and shallops and other small vessels trading within the river and bay of Delaware and along the coast as far as Sandy Hook to the eastward and as far as Indian River to the southward only excepted) and all other the duties, fines, penalties, matters and things relative to the said duty of tonnage directed and enjoined in and by the same act be and are hereby further continued and extended for and during the term of seven years and from thence to the end of the next sitting of assembly, unless it shall so happen that the said duties of tonnage so to be collected shall not in that time be sufficient to pay off and discharge the bills of credit emitted by virtue of this act, in which case this act shall continue in force until the said duties shall be sufficient for that purpose; and in case a greater sum of money shall be raised within the time aforesaid, more than sufficient for the purposes aforesaid, then and in such case the surplus aforesaid shall be applied for and towards the supporting, maintaining and keeping in repair and use the said lighthouse, buoys and piers aforesaid in the best manner so as to be of the most advantage to trade and navigation.

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 note to the Act of Assembly passed February 26, 1773, Chapter 671; and the Act of Assembly passed June 29, 1775, Chapter 712. The Act in the text was repealed by the Act of Assembly passed October 4, 1788, Chapter 1365.