

CHAPTER MCDXV.

AN ACT TO REPEAL SO MUCH OF ANY ACT OR ACTS OF ASSEMBLY OF THIS COMMONWEALTH AS DIRECTS THE PAYMENT OF THE NEW LOAN DEBT OR THE INTEREST THEREOF BEYOND THE FIRST DAY OF APRIL NEXT, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas by an act of the General Assembly of this state passed the first day of March, in the year of our Lord one thousand seven hundred and eighty-six and by a supplement thereto passed the twenty-eighth day of March one thousand seven hundred and eighty-seven the comptroller-general of this commonwealth was authorized and directed to receive on loan in behalf of the state such certificates of the debts due from the United States as in the said act and supplement thereto are particularly described and to issue and deliver in lieu thereof to the person or persons who should before the first day of March which should be in the year of our Lord one thousand seven hundred and eighty-eight voluntarily make such loan or loans, a certificate or certificates (in the said first recited act before described) to the amount or value of the sum and sums due as principal money on the certificate or certificates which he should so receive on loan, expressing the period from which the said principal sum is entitled to draw interest according to the tenor and terms of the certificate or certificates so received on loan and by the said act divers other provisions are made for preserving as exact a conformity in the relative value and periods of payment of interest between the said certificates to be received on loan and the certificates to be issued in lieu thereof as the nature and circumstances thereof would reasonably admit and to mark thereon respectively such reference to each other as would as plainly as possible ascertain upon the face of each of them what certificates were given and received in lieu of each other:

And whereas in and by the said recited act and supplement thereto the treasurer of the state for the time being was auth-

orized and required twice in every year to pay with and out of the aggregate fund provided by the act of the sixteenth day of March one thousand seven hundred and eighty-five the interest for six months accrued on all such debts due from this state as should be ascertained and established by certificates which payments of interest should commence on the first days of April and October respectively in each year and to be made to the holders or possessors of such certificates respectively. And whereas by an act of assembly passed the twenty-second day of September one thousand seven hundred and eighty-five it is enacted that all such officers, soldiers and seamen of the late continental army of the Pennsylvania line or navy militia of this state or Pennsylvania state navy who during the time of their actual service therein had been wounded, maimed or otherwise disabled so as to prevent their obtaining a livelihood by their industry, should during the time of such disability be entitled to receive from the state a pension proportionate thereof transmitted to and lodged in the comptroller-general's office and the comptroller-general was to report quarterly or oftner to the supreme executive council the sums due to those pensioners respectively and the council were to draw orders on the state treasurer for the payment thereof out of the moneys appropriated to discharge the requisitions of the United States within the year and by the same act the supreme executive council were authorized and empowered from time to time to form so many as they should think proper of the invalids provided for by that act into a corps to be employed in guarding the offices where the public records and military stores of the state were kept, or such uses as might be necessary, provided the number so taken into service did not exceed two officers and twenty-five men, at one time who should be entitled to rations whilst so employed in addition to the provisions therein before made and the said rations to be contracted for or supplied by directions from the said council.

And whereas the congress of the United States "have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and the general

welfare of the United States and no State can without the consent of Congress lay any imposts or duties on imports or exports except what may be absolutely necessary for executing its inspection laws and the net produce of all duties and imposts laid by any state on imports or exports shall be for the use of the treasury of the United States and all such laws shall be subject to the revision and control of Congress," as by the constitution of the United States appears. And whereas the said congress having full power to provide for the payment of the debts of the United States no doubt can be entertained but they will with all convenient speed make due provision for the same and as that part of the said aggregate fund created by the said act of the sixteenth day of March one thousand seven hundred and eighty-five which arises from the duties and imposts on importation therein mentioned will shortly cease to come into the treasury of this state it is reasonable and just that the temporary relief which by the said recited acts was granted to the persons therein described should also cease and that payment of public debts due to the said creditors should be provided for out of the treasury of the United States and that the alterations of the said recited laws hereinafter mentioned should be made.

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That the interest due and to become due and payable upon all and every the certificates issued by the comptroller-general in pursuance of the said recited acts or either of them shall be paid up so as to complete the payment of interest to four years and that so much of every act or acts of general assembly as directs or secures the payment of the principal sum or sums in the said certificates or any of them mentioned or of the interest thereof beyond the term of four years shall be and the same is hereby repealed and made null and void.

And whereas many who have exchanged the certificates of the United States for certificates issued by this state in lieu thereof as aforesaid may be desirous of taking back the same

or other of like value and it is just and reasonable that they should be at liberty so to do:

And whereas difficulties may arise in equalizing the interest paid by this state to the holders of the said certificates issued in pursuance of the said recited acts or either of them with the interest received by this state from the United States:

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the president or vice-president in council shall be and they are hereby authorized and empowered to cause in such mode and manner and under such regulations as to them may seem best all such certificates as have been loaned to this state in pursuance of the said recited acts or of either of them or other certificates to the like amount on the holder or holders of the certificate or certificates issued by this state in lieu thereof as aforesaid applying therefor to be returned or delivered to him or them through the office of the comptroller-general in certificates so as aforesaid loaned to this state or in such as have been received in the land-office of this state, provided that no certificates shall be so returned or delivered until the interest paid by this state on the certificate or certificates issued by this commonwealth as aforesaid shall be equalized and the overplus or balance beyond what has been in every such case received by this state from the United States shall be repaid in indents of the United States to the comptroller-general for the use of this state, and in every case where this state shall have received more interest from the United States than shall have been paid on the certificates so as aforesaid issued by this state the comptroller-general shall and he is hereby required to pay such overplus in indents of the United States to the holder or holders of such certificates.

[Section III.] (Section IV, P. L.) And it is hereby further enacted by the authority aforesaid, That the payments which are already due and shall grow due to all and every the person and persons by virtue of all and every adjudication and adjudications of any court or courts within this state, duly made to the invalids mentioned and described in the said recited act of the twenty-second day of September one thousand seven

hundred and eighty-five, shall be paid by orders drawn by the supreme executive council on the state treasurer and their rations shall be contracted for or supplied by directions from the said council in the same manner and out of the same fund as by the said act is directed, up to the first day of May now next coming and no longer, on which the supreme executive council shall cause the corps of invalids formed in pursuance of the directions of the said recited act to be disbanded and dismissed from all duty and service, and that so much of the said recited act or of any other act or acts of assembly as authorizes or requires the payment of the several sums so adjudged to the pensioners in that act mentioned and described or the forming or keeping formed the said corps of invalids or providing them with rations after the first day of [May] next be and the same is hereby repealed and made null and void.

[Section IV.] (Section V, P. L.) And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful for the supreme executive council and they are hereby authorized and empowered on or before the said first day of May next to provide such and so many proper watchmen under the civil establishment of the city of Philadelphia as in their discretion shall be necessary and sufficient to guard against danger to the public buildings and records belonging to this state in the city and to defray the expense thereof from time to time by drawing upon the state treasurer for the amount thereof.

Passed March 27, 1789. Recorded L. B. No. 3, p. 506.

See the Acts of Assembly passed December 8, 1789, Chapter 1473; September 3, 1791, Chapter 1594.

CHAPTER MCDXVI.

AN ACT TO ESTABLISH A BOARD OF APPEAL WITHIN THE SEVERAL COUNTIES OF THIS STATE AND TO GRANT EXONERATIONS IN CASES OF MILITIA FINES.

(Section I, P. L.) Whereas it hath been represented, that