

[Section XIII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That where it shall appear to the governor that deviations from the routes described by any act of the legislature, for roads directed by such act to be laid out, opened and improved, are essentially necessary to fulfill the intentions of the legislature, or where the sums appropriated to any contiguous improvements may be more properly apportioned, he shall be authorized to make such deviations or apportionments. Provided always, That the said alterations do not depart from the principles of the several improvements intended by the legislature.

Passed April 10, 1792. Recorded L. B. No. 4, p. 510, etc.

CHAPTER MDCXLVI.

AN ACT TO PROVIDE FOR PAYING AND REDEEMING CERTAIN PUBLIC DEBTS, AND FOR DEFRAYING THE EXPENSES OF GOVERNMENT.

In order to provide immediate means for the payment of the interest accruing upon the public debt.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the interest accruing on or before the first day of July next, upon all the certificates, which have at any time heretofore been issued by and under the authority of this commonwealth, and upon which interest is payable by the state, by virtue of any of the existing laws, shall be paid by the state treasurer, as the same becomes

the use of the Senate, concludes in the following manner: "and the moneys thus directed by this act to be applied to the improving the said roads and rivers shall respectively be paid out of the same funds, in the same manner, and under the same regulations, as moneys appropriated by the above mentioned act, and directed to other purposes by this act, should have been paid, respectively, for the purposes by the above mentioned act intended."

due and payable, out of the moneys that he shall, from time to time, receive for the use of the commonwealth, by virtue of the assumption and provision contained in the seventeenth section of an act of congress, entitled "An act making provision for the debts of the United States," passed on the fourth day of August, in the year one thousand seven hundred and ninety, and the surplus or residue of the moneys so received, by virtue of the assumption and provision aforesaid, after satisfying the said appropriation hereinbefore made, shall, together with all moneys receivable in the land office for the purchase or payment of lands, be added to and make for the current year a part of the aggregate fund, created and established by an act of the general assembly of this commonwealth, entitled "An act authorizing the governor to negotiate a loan for the use of this commonwealth, and appropriating certain funds and revenues for the support of government, and the payment of the public debt,"¹ for the purposes, respectively, to which such aggregate fund has been, or shall be, appropriated, by any law or laws of this commonwealth.

(Section II, P. L.) And in order to provide effectually for the redemption of certain public debts hereinafter specified, upon just and reasonable terms.

[Section II.] Be it further enacted by the authority aforesaid, That it shall and may be lawful for the comptroller general and register general, for the time being, under the direction and control, and with the approbation of the governor, to enter into a bargain or bargains, by private contract, for selling and transferring, at such periods and in such sums as the governor shall direct or approve, so much of the three per cent. stock of the United States, the property of this state, as will be necessary and sufficient to pay, redeem and forever discharge the following debts or engagements, owing and contracted by this commonwealth; that is to say, for the payment, redemption and discharge of all the certificates, upon which an interest of six per cent. per annum is payable, by virtue of any of the existing laws of this commonwealth at their nominal value, respectively; for the payment, redemp-

¹Passed April 7, 1791; Chapter 1554.

tion and discharge of all the certificates which were issued by the state, bearing an interest of six per cent., as an equivalent for the loss sustained upon the deferred stock of the United States, by the creditors of this state, who subscribed to the loan proposed by congress, at the rate of thirty-nine pounds, in gold or silver money, for every one hundred pounds in the nominal amount of the certificates of deferred stock, on which such additional six per cent. certificates were respectively granted by the state as aforesaid; for the payment, redemption and discharge of all the certificates which were issued by the state, bearing an interest of three per centum, as an equivalent for the loss sustained upon the three per cent. stock of the United States, by the creditors of this state, who subscribed to the loan proposed by congress, at such rate as the same may be purchased, provided the same does not exceed the rate of fifty pounds, in gold or silver money, for every one hundred pounds in the nominal amount of the certificates of three per cent. stock, on which such additional three per cent. certificates were respectively granted by the state as aforesaid; and for the payment, redemption and discharge of all and every of the bills of credit, commonly called dollar money, remaining in circulation, together with the interest due thereon, at the nominal value and amount of such bills, and of the interest due thereon.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That whenever the said comptroller general and register general shall, in pursuance of this act, and under the restrictions herein contained, contract for the sale of any quantity of stock as aforesaid, and such contract is approved by the governor, it shall and may be lawful for the governor to draw a warrant or warrants upon the state treasurer, in favor of the purchasers thereof, specifying the amount and amounts of the stock contracted to be sold, and the price and prices to be paid for the same, and requiring the said treasurer, upon receiving the stipulated price and prices for which the said stock shall be sold, to transfer to the purchaser or purchasers thereof the specified amount and amounts of stock, according to the forms in that behalf established at

the treasury of the United States; and the said treasurer is hereby authorized and required, upon the receipt of the said stipulated price and prices, to make the transfer and transfers directed by such warrant and warrants, in manner aforesaid.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said comptroller general and register general shall keep fair and regular accounts of the sale and sales of stock made in pursuance of this act, and shall present the same, from time to time, to the governor, for his examination; and the governor shall render a full and exact report and statement of his proceedings in the premises, specifying the time, the price and the amount of each sale of stock, unto the general assembly, within the first week of the next session thereof, and at such other times as either branch of the legislature shall require.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That on the first day of July next, if the notification hereinafter mentioned shall for that purpose be given, or on such other day as the governor may fix by his notification, provided the same be two months after such notification, the holder and holders of all and every of the different denominations of certificates, for the payment, redemption and discharge of which provision is made in the second section of this act, shall be entitled to have and receive the value thereof, upon depositing with the register general, his, her or their respective certificates, which certificates shall be examined by the register general and comptroller general, who shall severally enter them in the same manner as other accounts, and upon such entry being made as aforesaid, they shall jointly certify the governor of such deposit being made, and the value thereof, respectively, estimated at and after the rates, respectively, in the said second section of this act mentioned and declared; and the governor shall thereupon draw a warrant in favor of the party or parties, respectively, upon the state treasurer, for the amount thereof, which warrant shall be countersigned by the register general and comptroller general and entered as in other cases, and all the certificates

as aforesaid shall be canceled and pasted into proper volumes, agreeably to the mode heretofore pursued upon the redemption of the evidences of the public debt.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That if congress shall, on or before the first day of July next, renew and again open the subscription to the loan heretofore proposed to the state creditors, or shall in any other manner, and upon any other terms, provide for the assumption of the non-subscribed debts owing to such state creditors, the holder or holders of any certificate or certificates, subscribable to the subscription so renewed, or entitled to the benefit of such other provision, shall be entitled to have and receive the nominal value of the said certificate or certificates from the state treasurer, upon this condition and not otherwise, that they shall and do subscribe to the loan so renewed, or acquiesce in the terms of such other provision; and thereupon, on or before the first day of July next, transfer to the state treasurer, for the use of the commonwealth, each and every the certificate and certificates which they shall receive from the United States in consequence of such subscription, or all and singular the interests and benefits to be derived from such other provision, together with the proper evidences thereof.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the governor shall cause a notification to be published, for the space of two successive months, in two of the daily newspapers, and two of the other newspapers of the city of Philadelphia, and also in the newspapers printed in the towns of Lancaster, York, Reading, Carlisle, Chambersburg, Harrisburg and Pittsburg, respectively, requiring each and every holder of any certificate or certificates, bills of credit, or other evidences of debt, by this act intended to be paid, redeemed and forever discharged, to apply on the first day of July next, for the purpose of receiving payment thereof, in the manner hereinbefore directed; and from and after the said first day of July next, all interest, and all right and claim to interest, upon such certificate and certificates, bills of credit, or other evidences of debt, save for

the interest on the said first day of July next, actually due and payable, shall cease, determine, and be thenceforth extinguished; and the holder or holders of the said certificate and certificates, bills of credit, or other evidences of debt, who shall neglect to apply as aforesaid, on the first day of July next, for the purpose aforesaid, shall forfeit and lose all the benefit and advantage of this act, unless such holder or holders shall, on or before the first day of January, which will be in the year one thousand seven hundred and ninety-three, enter the same in a book for that purpose to be kept by the treasurer, in which last mentioned case the certificate and certificates, bills of credit, and other evidences of debt, so entered, shall, at the expiration of three months from and after the date of the entries, respectively, be paid, redeemed and forever discharged, in the same manner, at the like rate, and upon the same conditions as if application had been regularly made, in pursuance of the notification herein before directed to be published. But, provided always, nevertheless, and it is the true intent and meaning of this act, that if the governor shall not be able to obtain sixty pounds, in gold or silver, for every one hundred pounds of the nominal of the three per cent. stock of the United States hereinbefore directed to be sold, for the purposes aforesaid, he shall forbear to issue and publish the above mentioned notification, and to sell and dispose of the said stock, until he shall be able to obtain the said price of sixty pounds in gold or silver, for every one hundred pounds of the nominal amount of the three per cent. stock of the United States thus directed to be sold; and if no notification shall be given as aforesaid, and until the same is actually given, and the period thereby prescribed has elapsed, the interest on each and every of the certificates hereby intended to be paid, redeemed, and forever discharged, shall continue to be allowed, and shall be paid as the same becomes due, out of the fund established in and by the first section of this act, anything herein to the contrary thereof in anywise notwithstanding.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the holders of the

different denominations of bills of credit, for the payment, redemption and discharge of which provision is made in the second section of this act, shall be entitled, upon depositing with the state treasurer his, her or their respective bills of credit aforesaid, to have and receive the value thereof respectively, estimated at and after the rates respectively in the said second section of this act, mentioned and declared; and the bills of credit, redeemed as aforesaid, shall be reserved and set apart by the said treasurer, to be destroyed in such manner, and at such time and times, as the legislature shall direct.

(Section IX, P. L.) And in order to provide for defraying certain necessary expenses of government, which have not hitherto been objects of an appropriation by law.

[Section IX.] Be it further enacted by the authority aforesaid, That for the year one thousand seven hundred and ninety-two, the sum of five hundred dollars, part of the funds appropriated for the support of government, shall be, and hereby is appropriated for paying all charges for necessary clerk hire, printing, stationery, attendance, expresses and fuel, for the use of the executive department, which charges, respectively, shall not be incurred, but upon the previous approbation and allowance of the governor, who shall cause the same to be paid, by warrants drawn on the state treasurer, and an account thereof shall be rendered quarterly and every quarter, by the secretary of the commonwealth to the register general, who shall examine and pass the same in like manner as other public accounts are examined and passed.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That from and after the first day of January next, all moneys arising from the interest payable to the commonwealth, by reason of any and every certificate and certificates issued by and under the authority of the United States, all moneys in like manner payable to the commonwealth, in pursuance of the assumption and provision contained in the seventeenth section of the act of congress hereinbefore mentioned, all moneys arising from fees receivable in the secretary's office or in the land office from marriage or tavern licenses, from court fines, and from taxes on pleasur-

able carriages, together with the arrearages of such taxes, all moneys that shall be paid in the land office for purchase or payment of lands, all moneys arising from any public tax assessed subsequent to the year one thousand seven hundred and eighty-four, (payments in bills of credit emitted in the year one thousand seven hundred and eighty-five always excepted), and all moneys arising from any other funds of this state whatsoever, after the appropriations that may have been or shall be charged on the said funds shall have been satisfied, shall be, and the same are thenceforth hereby appropriated as one aggregate fund, towards the payment, satisfaction and discharge of the expenses incurred for the following purposes, in the order in which they are set forth; that is to say, for the annual expenses of government, for the charges stated in the next immediately preceding section of this act, for pensions allowed and authorized by any existing law or laws of the commonwealth, and for the annual disbursement, in such manner as the legislature may from time to time direct, of the sum of five thousand pounds, heretofore appropriated for the improvement of the public roads.

[Section XI.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the governor is hereby empowered, from time to time, to apply the balance of moneys arising from the sales of stock, directed to be made by this act, remaining in the state treasury after satisfying the appropriations charged on the same, in the procuring of shares in the Bank of North America, for the [use] of this commonwealth, provided the same may be obtained at par.

Passed April 10, 1792. Recorded L. B. No. 4, p. 517, etc. Supplement passed February 9, 1793, Chapter 1653. See Act of April 10, 1793, Chapter 1679, as to payment of certain warrants. See Act of April 22, 1794, Chapter 1775, as to payment of unfunded depreciation certificates. See Act of April 1, 1795, Chapter 1821, appropriating two thousand dollars to pay militia. See Act of April 4, 1796, Chapter 1902, as to settlement on depreciation or funded debt certificates.