

## CHAPTER LXXXVII.

[AN ACT FOR GRANTING AND RAISING] TO THE PROPRIETARY AND GOVERNOR THE SUM [OF TWO THOUSAND POUNDS UPON] THE CLEAR VALUE OF ALL REAL AND PERSONAL ESTATES AND [UPON THE POLLS OF] ALL FREEMEN WITHIN THIS PROVINCE [AND] COUNTIES ANNEXED.

[As a further testimony of our] sincere respect and gratitude to our proprietary [and governor, considering as well his past] care and expense as the present assurance of his [justice and kindness towards the inhabitants of this province] and territories in confirming to them [their lawful and equitable claims to all their lands and] estates:

[Section I.] We the freemen of this [province and territories in General Assembly met, do] freely present unto William Penn, our Proprietary and Governor, the gift of two thousand pounds to be rated and assessed as is hereinafter mentioned and therefore we entreat him that it may be enacted, and be it enacted by the Proprietary and Governor and freemen of this Province and Territories in General Assembly met], and by the authority of the same, That the said sum of two thousand pounds shall be apportioned and laid in manner following: (That is to say) the county of Philadelphia shall pay one thousand and twenty-three pounds; the county of Bucks shall pay two hundred and twenty-five pounds; the county of Chester shall pay three hundred and twenty-five pounds; the county of Newcastle shall pay one hundred and eighty-two pounds; the county of Kent shall pay one hundred and thirty-nine pounds, the county of Sussex shall pay one hundred and six pounds.

And to the end that the respective sums aforesaid may be laid with as much equality and indifferency as may be upon the inhabitants:

[Section II.] Be it enacted by the authority aforesaid, That all and every person and persons having any estate real or personal within the respective counties of this province and territories (over and above their respective household goods and

implements used in trade and getting a living, except such persons only as have a charge of children, the clear value of whose estates both real and personal amounteth not to thirty pounds) shall be rated and assessed, and are hereby rated and assessed, so much by the pound upon the clear value of all their said real and personal estates, within the said respective counties, as shall, with the poll-money hereinafter mentioned, amount to the respective sums aforesaid, clear of all charge in assessing and collecting the same: and the rate of four shillings per head of all freemen that are sixteen years of age or upwards, not having families or charge to maintain, and [who] are not under their parents' tuition and assisting them in their plantation or trade, and are not otherwise rated by this act, in proportion to every penny on the pound so raised to complete the sum aforesaid. And for the more effectual putting this act in execution concerning the assessing, ordering, levying and collecting the same, it shall and may be lawful for the respective members of this Assembly in each county, or any three of them, and they are hereunto respectively required [to call to their assistance four or more of] the most substantial freeholders as they [shall see meet, and that they or] the major part of them shall, within two [months next after the publication hereof, meet] together in their respective counties [and by warrant under their or some] of their hands and seals, cause the constables [to bring in certificates in writing of the] names of every person within their respective [limits with which they shall be charged], and of the substance and value of every one of [them who are to be rated by this act] which said substances and values shall again be [liable to the valuation of the assessors aforesaid], who are, by all lawful means they can [to inform themselves of the true] valuation of all the clear estates both real [and personal within their respective counties, and shall] assess themselves and others [for and in respect of the said estates as aforesaid; and the said assessors] shall thereupon [cause the respective clerks of the counties to draw out lists and fair duplicates of the said assessment, to be signed by the said assessors; and] the said clerks shall be allowed [twenty shillings respectively out of the county] levies; and the said assess-

ors shall [appoint the] sheriff of the said county, or such other person or persons as they [shall see meet, to be collectors] of the said rate, for which service the said assessors shall be paid or allowed four pence on the pound, to be paid out of the county levies.

[Section III.] And it is further enacted by the authority aforesaid, That one moiety of the respective sums aforesaid so levied, shall be paid at such convenient landing-places in each county as the said assessors shall appoint, to such person or persons as the proprietary and governor or his heirs shall appoint, whose receipts shall be sufficient discharges to the respective collectors, on or before the tenth day of the Third month next; and that the other moiety thereof shall be paid in manner aforesaid on or before the first day of the Tenth month in the year one thousand seven hundred and one. And the said collectors, for gathering the said sums, shall be paid out of the county levies respectively the sum of one shilling for every twenty shillings by them severally paid as aforesaid, as a reward for their pains.

[Section IV.] And it is further enacted by the authority aforesaid, That if any one of the said assessors, clerks or receivers shall refuse or neglect their respective duties in the premises, and be duly convicted thereof, [he or they] shall be fined by the governor and council in any sum not exceeding five pounds; and the governor and council are hereby empowered, upon such refusal or neglect, to appoint such other assessors and officers for the assessing and collecting of the same from time to time until the same be levied, as they shall think fit.

[Section V.] And it is further enacted by the authority aforesaid, That if any person or persons whatsoever within this province or territories which shall be assessed or rated any sum or sums of money by virtue of this act to be levied, shall deny, refuse or delay to pay the same, that then it shall and may be lawful for any such collector, by virtue of a warrant under the hand and seal of any justice or justices of the peace of the county where such offenders shall reside, which justice or justices are by virtue of this act required to grant such warrants—to levy the same [by distress and sale of such person's or persons' goods

or chattels, returning the overplus (if any be) to the owners, after the sum assessed and distrained for with all charges is deducted. And if any person assessed to pay the four shillings aforesaid shall refuse or delay to pay the same, and the respective collector can find no visible estate or goods of such person to distrain upon, then the said collector shall, by a warrant from a justice of the peace of the county, cause such person to come before him or some other justice of the said county; and if the said person shall then refuse or delay to pay the said four shillings, together with the charge of the warrant and collector's trouble, then the said justice may and shall commit, and is hereby authorized to commit, such refractory person to the county gaol, there to remain confined until by his labor he shall make satisfaction for his person.

Provided always, That if any person or persons certified, assessed or rated for or in respect of any estate for which by this act he or they is or shall be rated, do find him, her or themselves aggrieved by such rating and shall, within a reasonable time before the said rate becomes payable, complain to the assessors who signed and allowed his, her or their rates, which said assessors shall appoint a convenient time for hearing such complaints made, particularly to hear and examine the person] or persons complaining, or any other having the value of the complainant's real and personal estate, and [sic] thereupon the assessors shall abate, defalk, increase, or confirm the said assessment according as the complainant's estate shall appear to be worth, either by his own attest or proof of others.

Provided also, That the several collectors shall gather and receive the respective sums assessed as aforesaid, in current money of this province, or for want thereof in good merchantable country produce at the current market prices, at such convenient landing places in each county as aforesaid.

[Section VI.] And it is further enacted by the authority aforesaid, That if any person be sued for anything done in pursuance of this act, such person so sued may plead the general issue and give this act and the special matter in evidence; and if the plaintiff or prosecutor shall be cast, the defendant shall recover treble damages.

Provided always, That no person or persons shall be punished by virtue of this act for any neglect or miscarriage in the execution thereof but within three months after such offense is committed.

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II, and the Act of Assembly, passed January 12, 1705-6, Chapter 159.

---

## CHAPTER LXXXVIII.

---

[AN ACT FOR THE EFFECTUAL ESTABLISHMENT AND CONFIRMATION OF THE FREEHOLDERS OF THIS PROVINCE AND TERRITORIES, THEIR HEIRS AND ASSIGNS, IN THEIR LANDS AND TENEMENTS.]

[Whereas at the first laying out and settling of lands in this province of Pennsylvania and territories thereunto belonging, many great neglects and errors have been committed through the want of experience and care both in officers and the people, as well to the wrong of the proprietary as the insecurity of the said people and the great inconveniency of both, for remedy whereof and for the safety of the said province and territories in general, and that the inhabitants may be completely and absolutely settled and fully secured in their rights and titles to land, and all occasions of difference and contest thereupon may forever hereafter be prevented and removed:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all grants and parcels of land taken up within this province and territories, and duly seated by virtue of letters patent or warrants obtained from governors or lawful commissioners under the Crown of England, before the King's grant to the proprietary and governor] for this province (except the same was had by fraud or deceit) shall be quietly enjoyed by the actual possessors, their heirs and assigns; and that all