

said sum that shall be remaining in his hands after payment of the bounty upon hemp directed to be paid by this act.

Passed February 14, 1729-30. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I. Repealed by the Act of Assembly passed January 10, 1731-32, Chapter 328.

CHAPTER CCCXVII.

AN ACT TO REMOVE THE TRUSTEES OF THE GENERAL LOAN OFFICE OF PENNSYLVANIA AND APPOINTING OTHERS TO EXECUTE THE SAID TRUST.

Whereas in the year of our Lord one thousand seven hundred and twenty-three an act of general assembly of the province of Pennsylvania was made "For emitting and making current fifteen thousand pounds in bills of credit,"¹ to be let out upon loan for the term of eight years at the interest of five per cent per annum and for other purposes in the said act mentioned. And in the same year one other act of general assembly of the said province was made "For emitting and making current thirty thousand pounds in bills of credit,"² to be let out upon loan for the term of twelve years and a half at the like interest of five per cent per annum and for such other purposes as in the said act is directed. And in the year one thousand seven hundred and twenty-six one other act of general assembly of the said province was made "For re-emitting and continuing the currency of such bills of credit as by the said two former acts were directed to be sunk and destroyed, and for striking and making current ten thousand pounds in new bills of credit to supply those bills that were torn and defaced."³ And in the year one thousand seven hundred and twenty-nine one other act of assembly of the said province was

¹ Passed March 2, 1722-23, Chapter 261.

² Passed December 12, 1723, Chapter 275.

³ Passed March 5, 1725-26, Chapter 289.

made "For emitting and making current thirty thousand pounds in bills of credit,"¹ to let out upon loan for the term of sixteen years at the interest of five per cent per annum and such other uses as in the said act is directed and appointed.

And whereas Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Nathaniel Newlin, of the said province of Pennsylvania, gentlemen, were by the said several acts appointed trustees for the issuing and letting out upon loan and receiving in again all the said bills of credit made current by the said several acts of assembly, and were styled trustees of the general loan office of the province of Pennsylvania, and directed to keep the said general loan office in the city of Philadelphia, and to render annually to a committee of the assembly of this province an account of the sums by them let out upon loan and received in again pursuant to the directions of the said several acts. And whereas afterwards, to wit, in the year one thousand seven hundred and twenty-nine [afore-said], Nathaniel Newlin, one of the said trustees, died, and one Philip Taylor, of Chester county, was nominated a trustee in his stead. And whereas the annual committee of assembly appointed to audit the accounts of the said general loan office have frequently met with great delays and have been put to much pains and trouble and laid under great difficulties by the said trustees in coming at the knowledge of the true state of the said general loan office; and upon a late examination of the accounts of the said office it appears that several irregularities have been committed by the trustees in the management of the said trust, by reason whereof it is become necessary to remove the said trustees from their said offices of trustees of the general loan office of Pennsylvania and to appoint others in their stead and to make some provision for the more exact keeping the accounts and preventing any future mismanagement in the said office:

[Section I.] Be it therefore enacted by the Honorable Patrick Gordon, Esquire, Lieutenant-Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the

¹ Passed May 10, 1729, Chapter 300.

freemen of the said Province in General Assembly met, and by the authority of the same, That Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Philip Taylor be and are hereby discharged from executing the office of trustees of the general loan office of the province of Pennsylvania by virtue of the aforesaid acts of assembly; and that Andrew Hamilton and Charles Read of the city of Philadelphia, Jeremiah Langhorne of the county of Bucks, and Richard Hayes of the county of Chester, Esquire, be trustees of the said general loan office of the said province during the continuance of the aforesaid acts of assembly. And the said Andrew Hamilton, Charles Read, Jeremiah Langhorne and Richard Hayes, Esquires, are hereby nominated and appointed trustees of the said general loan office of the province of Pennsylvania for holding and ordering of the said general loan office and for receiving and issuing of the said bills of credit, according to the directions of the several acts of assembly before recited, and for the doing and performing all other matters and things enjoined or required to be done by the trustees of the [said] general loan office in the said office and relating to the said bills of credit by all or any of the said several acts of assembly during the continuance of the same as fully and amply to all intents and purposes as the said Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Nathaniel Newlin were empowered to do or could or might have done and as fully as if the said Andrew Hamilton, Charles Read, Jeremiah Langhorne and Richard Hayes had been expressly nominated and appointed trustees in the bodies of the said several acts of assembly, each of the said trustees before they enter upon the execution of their trust first giving bond to the provincial treasurer for the time being in the sum of three thousand pounds, according to the directions of the said acts of assembly, with a further condition to deliver up to their successors in the said trust the mortgage-deeds and all other things belonging to the said general loan office when they shall happen to be removed from their trust and taking the oath or affirmation therein enjoined to be taken by the trustees for the due performance of their trust; and if any of the said trustees shall happen to die or be removed for

misfeasance or for not acting, some other fit person or persons shall be appointed in the place or places of such trustee or trustees in the manner directed by the thirty-thousand-pound act made in the year one thousand seven hundred and twenty-nine.

And the said Andrew Hamilton, Charles Read, Jeremiah Langhorne and Richard Hayes are hereby further authorized and required to demand, take and receive of the said Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Philip Taylor, their heirs, executors and administrators and every of them, and of every other person concerned, all the mortgage-deeds, bonds and warrants-of-attorney, together with the books of records and enrollments of the same, and all deeds, writings and evidences relating to or concerning the rights or titles of any lands, tenements or hereditaments or other thing taken and received by the late trustees in [to] the said general loan office for security of payment of any sum of money, and all the bills of credit remaining in their or any of their hands belonging to the said loan office.

[Section II.] And be it further enacted by the authority aforesaid, That all the aforesaid mortgages and enrollments of the same or other deeds, evidences and writings relating to or concerning any mortgage or other security for payment of any money or bills of credit into the general loan office of the province of Pennsylvania, and all plate, with the said bills of credit now remaining in their or any of their hands, whether the same be to be re-issued, sunk and destroyed or exchanged for torn bills, or directed by any of the aforesaid acts of general assembly to be paid to any persons for any particular uses, together with a schedule or inventory of the same, shall within the space of two weeks after the publication of this act be delivered to the trustees in this act named, who are hereby empowered to account with the said late trustees and to receive the mortgage-deeds, plate and other things so delivered of the said late trustees or any other person whomsoever having the same in their hands or possession, and to lay the said account before the general assembly of this province when thereunto required, and that the receipt of the said trustees by this act

appointed or any three of them shall be a sufficient discharge to the said Samuel Carpenter, Jeremiah Langhorne, William Fishbourn and Philip Taylor, their heirs, executors and administrators, for such bills of credit, plate, mortgage-deeds and enrollments of the same or other writings so delivered.

Provided always, That it shall and may be lawful for the late trustees or any of them, at any seasonable time or times, to have recourse to and inspection of all the mortgage-deeds or enrollments of the same with their endorsements, in order to enable them to account with the assemblies of this province or their committees or any other persons to be appointed by the assembly for that purpose if any such account be required.

And that the said trustees are hereby empowered to choose and employ a fit and able person to be clerk, for whom they shall be answerable, to serve them in the said office during their pleasure under the like qualifications enjoined to be taken by the clerk in the said acts before he enter upon his office, who shall deliver to the committee of assemblies when thereunto required upon oath or affirmation a true list of all mortgage-deeds taken according to the directions of the aforesaid acts of assembly; and the trustees shall themselves keep fair and exact books of accounts tablewise of all the emissions of bills of credit by them let out upon loan or otherwise issued out of the said office and of the receipts of the principal sums, quotas and interest arising thereupon of all the moneys [to them] paid in upon all or any of the said several acts of assembly, to which books of accounts the committee of assembly hereafter to be appointed to audit the said trustees' accounts shall have free access at all seasonable times, and shall further have delivered to them for the use of the assembly a fair duplicate of the said tables by the aforesaid trustees with a list of the receipts of all [such] moneys paid in with the days of payments, and likewise have access to the mortgage-deeds and enrollments of the same with the bonds given by the mortgagors, to the end they may be satisfied that there is due credit given the province for the moneys or bills of credit paid in, and that the same hath again been let out without delay to such persons as had occasion to borrow, and that the said committee may from time to

time be acquainted with the state of the whole transactions and affairs belonging to the said loan office. And such of the said trustees as shall undertake and execute the said trust shall each of them receive the same like salaries as are allowed and appointed by the aforesaid several acts of assembly to be paid to the former trustees.

Passed August 15, 1730. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I, and the note to the Act of Assembly passed March 5, 1725-26, Chapter 289; and the Resolution of January 1, 1733-34, recorded in Votes of Assembly, Volume III, p. 202; and the Act of Assembly passed August 25, 1738, Chapter 345.

CHAPTER CCCXVIII.

AN ACT TO PREVENT THE ERECTING WEIRS, DAMS, &c., WITHIN THE RIVER SCHUYLKILL.

Whereas the common passage for rafts of timber, boards, staves, boats, canoes and other craft is very much hindered and obstructed by weirs and fishing dams set up against the public good and convenience of trade up and down within the river Schuylkill:

For the preventing whereof:

[Section I.] Be it enacted by the Honorable Patrick Gordon, Esquire, Lieutenant-Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That all weirs, fishing-dams and other devices or obstructions whatsoever built, laid or erected within the river Schuylkill so as the trade of the said river or creek may thereby be hindered or obstructed, shall within the space of twenty days next after the publication of this act or as soon as conveniently may [be] be removed in the manner hereinafter directed by this act.

And if any person or persons whatsoever shall hereafter presume to build, erect, set up or repair any such weirs or fish-