

exceeded the sum of (five pounds), he, she or they so prosecuting shall not recover any costs in such suit, any law, usage or custom to the contrary notwithstanding.

Provided also, That this act nor any thing herein contained shall be deemed, construed or understood to extend to actions of debt for rent, debt upon bonds for performance of covenants, to actions of covenant, to actions of replevin or upon any real contract; nor to actions of trespass on the case for trover and conversion or slander; nor to actions of trespass for assault and battery or imprisonment; nor to such actions where the title of lands shall anywise come in question.

Provided also, That this act shall continue in force for the space of three years and from thence to the end of the next session of [the] assembly and no longer.

Passed May 19, 1739. See Appendix XIV, Section I, and note to the Act of Assembly passed February 21, 1735-36, Chapter 341, and the Act of Assembly passed February 3, 1742-43, Chapter 355.

CHAPTER CCCLIII.

AN ACT FOR REPRINTING, EXCHANGING AND RE-EMITTING ALL THE BILLS OF CREDIT OF THIS PROVINCE, AND FOR STRIKING THE FURTHER SUM OF ELEVEN THOUSAND ONE HUNDRED AND TEN POUNDS FIVE SHILLINGS TO BE EMITTED UPON LOAN.

Whereas through the scarcity of silver and gold in this province, occasioned by remitting the same to Great Britain to pay for the product and manufactures of that kingdom imported hither for the use of the inhabitants, sundry sums of money in bills of credit were formerly emitted, which by experience have been found to be very useful for carrying on the trade and commerce of this province. And whereas in pursuance of the direction of former acts of assembly by which the said bills of credit were emitted a great part of the same have been sunk and destroyed, so that there is not current in the province at this

time more than the value of sixty-eight thousand eight hundred and eighty-nine pounds fifteen shillings in the said bills of credit, which, since the great increase of the inhabitants as well as the trade of the province, is found to fall short of a proper medium for negotiating our commerce and supporting the government. And whereas it appears that great quantities of counterfeit bills in the likeness and imitation of genuine bills of credit of this province have been imported among us, which has rendered it necessary to call in all our bills of credit and to emit others of the same value but of a different impression from the former.

To the end, therefore, that the wants of those concerned in trade may be supplied and the government supported, and to prevent the people's being imposed upon by the said counterfeit bills made in imitation of the present bills of credit of this province:

[Section I.] Be it enacted by the Honorable George Thomas, Esquire, with the King's royal approbation Lieutenant-Governor of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex on Delaware under the Honorable John Penn, Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the said Province and counties, 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 indented bills of credit of the value of eighty thousand pounds of lawful money of America (according to an act of Parliament made in the sixth year of the late Queen Anne for ascertaining the rates of foreign coins in the plantations in America) shall before the tenth day of August next after the passing of this act be prepared and printed on good, strong paper, under the care and direction of John Kinsey, Jonathan Robeson, Joseph Kirkbride, Caleb Cowpland and John Wright, the trustees of the general loan office of the province of Pennsylvania, and at the charge of the public, to be defrayed out of the interest-money arising or to arise upon the loan of any bills of credit formerly emitted or to be emitted by any trustees of the said general loan office, which

bills shall be made and prepared in manner and form following and no other, viz.:

This indented bill

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 shall pass current for shillings within the province of Pennsylvania, according to an act of assembly of the said province made in the twelfth year of the reign of King George the Second. Dated the tenth day of August, one thousand seven hundred and thirty-nine.

And the same bills shall have such like escutcheon¹ as in the margin hereof, with such other devices on the said bills as the said trustees shall think fit, as well to prevent counterfeits as to distinguish their several denominations, each of which bills shall be of the several and respective denominations following and no other, viz.:

Ten thousand of the same bills, the sum of one shilling in each of them.

Ten thousand of the same bills, the sum of one shilling and six pence in each of them.

Ten thousand of the same bills, the sum of two shillings in each of them.

Ten thousand of the same bills, the sum of two shillings and six pence in each of them.

Thirty thousand of the same bills, the sum of five shillings in each of them.

Forty thousand of the same bills, the sum of ten shillings in each of them.

Twenty thousand of the same bills, the sum of fifteen shillings in each of them; and

Thirty-four thousand of the same bills, the sum of twenty shillings in each of them.

And the said trustees shall use the best of their care, attention and diligence during the printing of the said bills that the number and amount thereof according to their respective denominations aforesaid be not exceeded, nor any clandestine or fraudulent practice used by the printer, his servants or persons concerned therein.

And for the perfecting the said bills to make them current within this province, according to the true intent and meaning of this act:

¹ Not here reproduced for want of facilities.

[Section II.] Be it further enacted by the authority aforesaid, That all and every [of] the said bills shall be signed by the persons following or by three of them at least: (That is to say) Thomas Leech and William Monington, of Philadelphia county; Abraham Chapman, of Bucks county; Joseph Harvey, of Chester county, and Samuel Smith, of Lancaster county, who are hereby nominated and appointed to be the signers of the said bills, and shall before they presume to receive or sign any of the said bills of credit take an oath or affirmation to the following effect, to wit:

That they shall well and truly sign and number all the bills of credit that shall come to their hands for that purpose by the direction of this act, and the same so signed and numbered will deliver or cause to be delivered unto the trustees of the general loan office of the province of Pennsylvania, pursuant to the direction of this act.

And for avoiding the danger of embezzlement or misapplication of any of the said bills of credit:

[Section III.] It is hereby further ordained and provided, That the said trustees after the said bills are printed shall deliver them to the said signers to be signed and numbered by parcels, for which the said signers [or some of them] shall give their receipts: (That is to say) one thousand pounds value in the said bills at one time, and so from time to time till all the said bills of credit shall be signed and numbered, yet so as that the said trustees shall not deliver any other of the said bills to the signers aforesaid whilst the sum in their custody unexchanged exceeds one thousand pounds, of all which bills of credit so delivered to be signed by the trustees true accounts shall be kept by the signers, who upon their re-delivery of each or any parcel of the said bills of credit by them signed and numbered to the trustees of the general loan office shall take the receipt of the said trustees to charge them before any committee of assembly to be appointed for that purpose.

And the said signers shall have fifteen shillings apiece for every thousand of the aforesaid bills by them signed and numbered within ten days after the re-delivery thereof to the said trustees, to be by them paid out of the interest-money in the said trustees' hands.

And if any of the persons before nominated to be signers shall happen to die or be rendered incapable of doing his or their duty by this act required, the assembly for the time being shall appoint some other person or persons in his or their stead from time to time until all the bills hereby directed to be made be wholly signed and numbered as aforesaid.

[Section IV.] And be it further enacted by the authority aforesaid, That the said trustees after the receipt of any parcel of the said new bills signed and numbered as aforesaid, or some fit person for whom they shall be accountable, shall give due attendance at their office on every fourth day of the week, and shall deliver out the same unto such persons as shall demand them in exchange for bills of the same value made and emitted by the direction of any former act of assembly of this province, which said old bills shall be kept by the said trustees for their vouchers to discharge them of so much of the aforesaid eighty thousand pounds value in new bills as they shall have given in exchange as aforesaid before any committee of assembly to be appointed for that purpose, who having duly examined such old bills so received in exchange, shall cause the same to be burnt and destroyed in their presence; and the said trustees shall have for their trouble and care in exchanging every ten thousand pounds value of the said old bills the sum of twenty-seven pounds ten shillings to be defrayed out of the interest-money aforesaid.

[Section V.] And be it further enacted by the authority aforesaid, That all the aforesaid bills of credit made and emitted by any former act of assembly of this province shall, from and after the tenth day of August, one thousand seven hundred and forty, cease to be current bills of this province and from thenceforth become null and void and of no effect, any law, custom or usage to the contrary thereof in anywise notwithstanding.

And the said new bills hereby directed to be made and signed as aforesaid to be emitted in exchange or loans as this act directs shall from and after the tenth day of August, one thousand seven hundred and thirty-nine, be the current bills of this province for the payment and discharge of all manner

of debts, rents, sum and sums of money whatsoever, due, payable or accruing upon or by reason of any mortgage, bill, specialty, bond, note, book account, promise or any other contract or cause whatsoever as if the same were tendered or paid in the coins mentioned in such bond or other writing, book account, promise, assumption or in any other contract whatsoever, and at the rates ascertained in the said act of Parliament, and shall be so received in all payments by all persons whatsoever.

[Section VI.] And be it further enacted by the authority aforesaid, That the said trustees shall be in and have capacity and power to take, hold and enjoy to them and their successors in the said trust all such lands, tenements, rents and hereditaments and all such plate as shall be granted them in mortgage or which hath at any time heretofore been granted to any trustee or trustees of the general loan office of Pennsylvania for securing the repayment of the money or bills formerly lent or hereby directed to be lent; and also to sell, grant, alien and dispose of the same lands, tenements, rents, hereditaments and plate in default of payment, and also to do, execute, perform and suffer all other things whatsoever as fully to all intents and purposes as any trustees of the general loan office aforesaid by any former act of assembly of this province may or might have done, executed, performed and suffered. And upon the death or removal of any of the present trustees or of any other that shall be nominated and appointed hereafter, it shall and may be lawful to and for the general assembly of this province for the time being to appoint some other fit person or persons in his or their place and stead, who shall have the same power and authority as if they had been nominated and appointed by virtue of this act.

[Section VII.] Provided always, and it is hereby further enacted, That none of the persons hereinbefore nominated or hereafter to be appointed trustees of the general loan office aforesaid shall longer continue in the exercise of the said office than the space of four years from the time of such their nomination as aforesaid and from thence to the end of the then next session of assembly.

Provided also, That none of the trustees so as aforesaid nominated or to be nominated and appointed according to the direction of this act or any of them or any of their heirs, executors or administrators or securities hereby directed to be given, be acquitted or discharged for anything done or suffered in or about the trust hereby committed to them until they have accounted for and paid and delivered up to the succeeding trustees all bills, moneys, securities and writings belonging to the loan office, and so from time to time during the continuance of this act, anything herein contained to the contrary notwithstanding. But before any of the present trustees or such as shall hereafter be appointed trustees shall enter upon the execution of their trust or any part thereof, they shall each of them enter into bond to the treasurer of this province in the sum of three thousand pounds conditioned for the execution of the trust and performance of all things required of them by this act, and shall take an oath or affirmation before some justice of the peace in the words following, viz.:

I, A. B., will according to the best of my skill and knowledge faithfully, impartially and truly demean myself in the discharge of the trust required of me by an act of assembly of this province, entitled "An act for reprinting, exchanging and re-emitting all the bills of credit of this province, and for striking the further sum of eleven thousand one hundred and ten pounds and five shillings, to be emitted upon loan," so as none may be prejudiced by my consent, privity or procurement.

[Section VIII.] And be it further enacted by the authority aforesaid, That the said trustees shall lend out the value of eleven thousand one hundred and ten pounds five shillings in the bills hereby directed to be made for and during the space and unto the full end and term of sixteen years from the fifteenth day of October in the year of our Lord one thousand seven hundred and thirty-nine; all which loans made by virtue of this act shall be made in sums not exceeding one hundred pounds nor less than twelve pounds to any one person upon mortgages of messuages, lands, tenements, rents and hereditaments in this province, whereof the borrowers stand seized in fee simple in their own right, free from incum-

branches, the proprietary quit-rents and other rents charged on the same and discovered to the said trustees only excepted, of which titles and clearness the trustees are to inform themselves the best they can by any of the ways and means heretofore granted and allowed to the former trustees of the said general loan office or to any of them, and shall inform themselves as well of the clear value of the titles of all lands, houses and ground rents offered in security so as to be satisfied that the lands and ground rents are held in fee simple and are at least of double the value of the sums requested to be lent; and that as to the houses erected upon ground subject to the payment of ground rent offered in mortgage, care shall be taken by the said trustees that there be no rent or quit-rent in arrear at the time of receiving the same in mortgage, and that the ground shall be near equal in value above the ground rent to the sum lent, yet so that the house and ground be of double value, for the better security of the mortgage-money. And thereupon the said trustees, in pursuance of the trust hereby committed to them, shall in the name and style of the trustees of the general loan office of the province of Pennsylvania and not otherwise take and receive deeds of mortgage in fee simple of such messuages, lands, tenements, rents and hereditaments with the appurtenances to secure the repayment of the sums they lend, to be made yearly on the fifteenth day of October by equal payments with the whole interest accrued at the rate of five pounds per cent per annum.

[Section IX] Provided always, and it is hereby further enacted, That the better to enable any of the mortgagors by any former act of assembly to discharge their mortgages, it shall and may be lawful to and for the said trustees and they are hereby required to permit those mortgagors or their heirs or such other person or persons to whom they have made over their right or redemption and estate in their mortgaged messuages, lands and rents to renew their mortgages respectively if they the said trustees shall judge them a sufficient security for the sums thereon due and in arrear, although the same exceed the sum aforesaid limited to one person, to be repaid

according to the proportions and within the times by this present act limited and appointed.

Provided also, That if any mortgagor of any messuages, lands and rents by this act directed, his heirs, executors or assigns, shall be minded to pay off and discharge his mortgage and security at any other time than according to the time specified in his mortgage deed, it shall be lawful for him or them so to do before sale of the mortgaged premises by paying down the whole principal sum due and in arrear, together with the interest and charges then accrued.

[Section X.] And be it further enacted by the authority aforesaid, That the principal sums and all and singular the parts, parcels or quotas thereof or any of them payable to the trustees of the said general loan office by the provincial treasurer or any of the county treasurers or by the mayor or treasurer of the city of Philadelphia or by any mortgagor or person whatsoever, as also the quotas of the sums appropriated for building the state house, shall not be sunk or destroyed otherwise or at any other time than by this present act is directed, limited and appointed, any law, custom or usage to the contrary notwithstanding; but the same principal sums and all other yearly payments of principal sums hereinbefore directed to be emitted on loans as this act directs now in the hands of the said trustees or hereafter to be recovered or received by them before the fifteenth day of October, one thousand seven hundred and forty-nine, shall be from time to time re-emitted on securities as hereinbefore directed for the residue of the aforesaid term of sixteen years. And also, so often as any mortgage-moneys directed to be re-emitted as aforesaid shall be recovered or received before the aforesaid fifteenth day of October, one thousand seven hundred and forty-nine, the principal moneys thence arising shall in like manner from time to time be re-emitted again on securities as aforesaid. And the said trustees or some three of them shall weekly attend at their office on the third and fourth days in every week (commonly called Tuesdays and Wednesdays) until the aforesaid sum of eleven thousand one hundred and ten pounds, five shillings, shall be wholly emitted as this act

directs; and afterwards on the third day of the second week in the months commonly called April, June, August, October, December and February in every year of the continuance of this act and at such other times as their duty and trust shall require; which deeds of mortgage shall be fairly entered in books of large paper to be provided by the said trustees, an attested copy of which deeds so entered and certified by the said trustees or any three of them for the time being shall be and is hereby declared to be good evidence to prove the mortgage thereby mentioned to be made; and on every of the aforesaid deeds of mortgage shall be endorsed or added an oath or affirmation, to be taken by the mortgagor or mortgagors before some or one of the said trustees, who are hereby empowered and required to administer the same, that he, she or they is or are seized of the hereditaments and premises thereby granted in his, her or their own right, and to his, her or their own use, and that free from all arrearsages of the proprietors' quit-rent and all incumbrances to the knowledge of such mortgagor, the yearly quit-rents thenceforth issuing payable to the chief lord or lords of the fee thereof and such other rents if any as are therein particularly mentioned and discovered to the trustees only excepted; and the aforesaid deeds, being so executed and acknowledged, shall transfer the possession and vest the inheritance of and in such mortgaged premises to and in the said trustees and their successors as fully and effectually as deeds of feoffment with livery and seizin or deeds enrolled in any of the King's courts of Westminster may or can do.

In all which deeds the words "grant, bargain and sell" shall be and be adjudged in all places and courts whatsoever within this province to have the force and effect of a covenant that the mortgagor, notwithstanding any act done by him, was at the time of the execution of such deed seized of the hereditaments and premises thereby granted of an indefeasible estate of inheritance, free from incumbrances (the rents so as aforesaid to be discovered to the said trustees only excepted).

[Section XI.] And be it further enacted by the authority aforesaid, That together with every of the aforesaid mortgage-

deeds the respective mortgagor shall execute a bond of double the mortgage-money conditioned for the payment of the money borrowed with the interest, according to the proviso or condition contained in each such mortgage-deed, and also a warrant of attorney empowering such person or persons as the trustees shall appoint to confess or suffer judgment, which the said trustees are hereby required to cause their attorney to enter in any of the courts of common pleas of this province against such mortgagor as shall make default in payment of the mortgage-moneys or any part thereof on the said bonds or mortgages for non-performance of the conditions thereof as in such actions of debt as the said trustees are required to bring for the value of the said bills of credit received by the mortgagors whose titles shall happen to prove defective, together with the interest and costs of suit, in every which warrants of attorney shall be inserted a release of errors by the mortgagor.

Provided always nevertheless, That until some default be made in payment of some part of the mortgage-moneys by the mortgagors respectively it shall and may be lawful to and for them and their heirs to hold and enjoy the mortgaged premises, anything in this act or in their mortgage-deeds to the contrary notwithstanding; but if default shall be made or suffered in payment of any part of the mortgage-moneys aforesaid, whether of the principal or interest, which the mortgagors, their heirs, executors, administrators or assigns, should or ought to pay, according to the days of payment aforesaid and as in their respective deeds of mortgage shall be specified, it shall and may be lawful to and for the said trustees for the time being at any time after two months next after default made as aforesaid to enter upon the messuages, lands, rents and hereditaments respectively in the deeds of mortgage specified and the same thereupon to sell and convey to the best purchaser, and out of the moneys arising by such sale to detain and keep the sums thereon due unto them with all costs and charges relating thereunto, returning the overplus (if any) to the owners of such lands and hereditaments, who shall there-

upon stand foreclosed of and from all right of redemption of the same.

[Section XII.] Provided always, and it is hereby further enacted, That it shall and may be lawful to and for the said trustees or any three of them at any time or times before the aforesaid fifteenth day of October, one thousand seven hundred and forty-nine, to lend out in such manner as to them shall seem best any sums in the bills aforesaid not exceeding one hundred pounds nor less than twelve pounds to one person, on securities of good plate at the value of six shillings per ounce, to be repaid to the said trustees within twelve months with the interest thereof at the rate aforesaid; and in case of the non-payment to sell and dispose of such plate for the most it will yield, returning the overplus (if any be) to the owner after payment of the sum lent, with the interest aforesaid and all charges thereupon accrued.

Provided always, That where any part of the mortgage-moneys hath been paid, the trustees shall endorse upon the writ of execution the real sum of principal and interest due to the said loan office, and the sheriff shall thereupon proceed as in other cases of sale of lands to sell so much of the mortgaged premises as near as he can judge as will be sufficient to pay the whole debt and costs, and if any overplus remain in the sheriff's hands after the payment of the whole moneys due to the said loan office with the costs and charges accrued thereupon, the said sheriff shall render the same to the debtor or defendant, his or their executors or administrators, and put the said purchaser into peaceable and quiet possession of the messuages, lands and tenements so sold as aforesaid, who shall hold and enjoy the same to his heirs and assigns as fully and amply as he or they for whose debt the same shall be sold might, could or ought to have done at any time before the taking thereof in execution, freed and discharged from all claim of dower by any person claiming under the defendant for whose debt the same was sold.

[Section XIII.] And be it further enacted by the authority aforesaid, That the said trustees shall endorse upon each mortgage-deed their receipts of all the yearly quotas to be paid by

the respective mortgagors, which they shall also note on the counterparts to them produced when required, for which receipts they shall be paid by the mortgagors six pence each and no more; and upon the last payment thereof the said trustees shall enter in the margin of the enrollment of the mortgage-deed the time of the discharge thereof, for which they shall receive of the mortgagors six pence and no more.

And the said trustees shall keep distinct, fair and true accounts of all the sums they receive by virtue of this and the before-recited acts respectively and of what they lend, pay or emit by virtue hereof or by orders of the assembly, whether in part of principal or interest-moneys, and shall have and receive for their trouble and service the sum of one hundred and ten pounds apiece per annum during the continuance of their re-emitting on mortgage as this act directs, which will be until the fifteenth day of October, Anno Domini one thousand seven hundred forty-nine, and afterwards the sum of eighty pounds apiece per annum during the future continuance of this act, which payments shall be made in bills of credit of this province unto each of them, his executors or administrators.

[Section XIV.] And be it further enacted [by the authority aforesaid], That the said trustees shall once in every year or oftener exhibit their accounts aforesaid unto the committees of assembly of this province appointed for that purpose, with whom they shall from time to time settle and adjust; and all the interest-money by them from time to time received being accounted for, and the salaries and charges allowed for by this act being deducted, the residue thereof shall be disposed of as the assembly of this province shall direct and appoint; and as for and concerning all yearly quotas and payments in the bills aforesaid (part of the principal sums to be emitted or re-emitted upon loans as this act directs) which by virtue hereof or of any mortgage or security heretofore taken or to be taken as aforesaid shall be recovered or received and remaining in the loan office on or after the fifteenth day of October, in the year of our Lord one thousand seven hundred forty-nine, the trustees of the loan office aforesaid shall from time to time as they come to their hands exhibit the same bills to the aforesaid

committees, who, having duly examined and compared them, shall cause the same to be burnt and destroyed in their presence.

And the better to prevent inconveniencies arising from indulging the mortgagors to be behind in their payments hereby directed to be made:

[Section XV.] Be it further enacted by the authority aforesaid, That the trustees for the time being shall and they are hereby required to keep the mortgagors, in pursuance of this act, up to their annual payments as by the same act is directed and appointed; and the committees of assembly to be annually appointed to audit the said trustees' accounts are hereby directed not to allow of any quotas in arrear and unpaid which have been due twelve months at the time of the settlement, excepting only such sums for which the trustees have commenced suit or otherwise have proceeded according to the direction of this act for the recovery of the money due.

[Section XVI.] And be it further enacted by the authority aforesaid, That the said trustees shall, for the better regulating of their said office, choose and employ a fit and able person for their clerk during their pleasure, for whom they shall be answerable, who shall prepare the deeds of mortgage, with the mortgagors' affidavits, bonds, warrants of attorney and releases of errors, and shall have and receive the following fees and no more, to wit, for every mortgage-deed, recording the same, the counterpart or copy thereof, the mortgagor's oath or affirmation endorsed on the mortgage-deed and the bond, warrant of attorney and release of errors, the sum of twenty shillings and no more, to be paid by the said trustees out of the interest-moneys aforesaid; and the said clerk shall keep true accounts of the names of all persons applying to borrow on securities as this act directs, and shall record their deeds of mortgage in the same order of time as they were executed, and shall once a year make out a list of the names of all mortgagors by this act directed, with the sums they borrow and date of their mortgage-deeds, and the same list shall deliver to the committees of assembly to be appointed auditors of the said trustees' accounts. But before any person so chosen to be clerk shall enter

upon the execution of his office, he shall take an oath or affirmation before some justice of the peace that he will truly and faithfully perform the office and duty that is directed and required of him by this act, wherein he will make no undue preference, unnecessary delays or fraudulent practice.

[Section XVII.] 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 current by this act or any law of this province by printing or procuring the same to be printed or otherwise counterfeited in the likeness of the said genuine bills of credit, and also if any person or persons shall forge the name or names of the signers of the true bills of credit to such counterfeit bills, whether the counterfeiting of the said bills 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 record within this province, he, she or they shall suffer death without benefit of the clergy; and the discoverer or informer shall have as encouragement for his discovery the sum of fifty pounds [out] of the goods and chattels, lands and tenements of the person convicted, and if no such goods and chattels can be found, then the trustees of the general loan office shall pay to such informer or discoverer, his executors, administrators or assigns, the sum of ten pounds. And if any person or persons shall counterfeit any of the said bills of credit of this province by altering the denomination [of the said bills] with design to increase the value of such bills, or shall utter such bills knowing them to be counterfeited or altered as aforesaid and shall thereof be legally convicted in any court of record in this province, such person or persons shall be sentenced to the pillory, and to have both his or her ears cut off and nailed to the pillory and to be publicly whipped on his or her bare back with thirty-one lashes well laid on; and moreover, every such offender shall forfeit the sum of one hundred pounds lawful money of Pennsylvania, to be levied on his and her lands and tenements, goods and chattels, the one-half to the use of the governor and the other half to the discoverer; and the offender shall pay to the party grieved double

the value of the damages thereby sustained, together with the costs and charges of prosecution; and in case the offender hath not sufficient to satisfy the discoverer for his or her damages and charges and pay the forfeiture aforesaid, in such case the offender shall by order of the court where he or she was convicted be sold for any term not exceeding seven years for satisfaction; and in such case the said trustees shall reward the discoverer of such insolvent offender to the value of five pounds. And every such counterfeit bill shall be delivered to any of the said trustees, to be made use of upon the trial of the person accused or suspected and afterwards to be burnt or destroyed by the said trustees in the presence of a committee of assembly.

[Section XVIII.] And it is hereby declared and enacted by the authority aforesaid, That this act shall be taken and allowed in all courts and places within this province as a public act, and all judges, justices and other persons concerned are hereby required to take notice thereof as such without pleading the same especially.

Passed May 19, 1739. See Appendix XIV, Section I, and note to the Act of Assembly passed March 5, 1725-26, Chapter 289, and the Act of Assembly passed May 26, 1744, Chapter 361.