

shall be settled upon and vested in the said trustees and the survivors of them and the heirs and assigns of such survivor forever; but, nevertheless, upon the same trust and to and for the same ends, intents and purposes and subject to the same uses to and for which the said State House, with its appurtenances, are in and by an act of assembly of this province passed in the present year of His Majesty's reign, entitled "An act for vesting the State House and other public buildings, with the lots of ground whereon the same are erected, together with two other lots situate in the city of Philadelphia, in trustees for the uses therein particularly mentioned,"¹ appointed, limited and declared, and to and for no other uses, intents and purposes whatsoever.

[Section IV.] And be it enacted by the authority aforesaid, That if there should happen to be and remain any surplus more than is sufficient to purchase the said lots of ground out of the said sum of five thousand pounds so as aforesaid directed to be retained by the said trustees of the loan office, all and every part of the said surplus shall be appropriated and applied by them in abatement of the public taxes of this government, and by the committees of assembly be accordingly burnt, sunk and destroyed.

Passed May 14, 1762. Referred for consideration by the King in Council, February 14, 1763, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the note to the Act of Assembly passed February 17, 1762, Chapter 477; and the Act of Assembly passed October 22, 1763, Chapter 505.

CHAPTER CCCCLXXXIII.

AN ACT FOR GRANTING TO HIS MAJESTY THE SUM OF TWENTY-THREE THOUSAND FIVE HUNDRED POUNDS FOR THE PURPOSES THEREIN MENTIONED.

Whereas in and by an act of assembly of this province passed in the first year of His present Majesty's reign, entitled "An

¹ Passed February 17, 1762, Chapter 477.

act for appointing certain persons thereafter named to apply for and receive the distributive shares and proportions which are or shall be allotted to this province out of the sum and sums of money granted or to be granted by Parliament to His Majesty's Colonies in America,"¹ it was enacted and provided that certain sums of money in the said act mentioned should be paid and discharged out of the bills of exchange directed to be drawn by the trustees of the general loan office by the said act on John Sargent, George Aufrere, David Barclay, junior, and John Barclay, merchants, in London; and that the said trustees should, towards sinking the sum and sums of money thentofore granted to His Majesty's use and in abatement of the taxes directed to be laid for that purpose, pay and deliver all the remaining part of the money that should arise by the sale of such drafts or bills of exchange as they, the said trustees, were directed to draw by virtue of the said act into the hands of the committees of assembly who should be yearly appointed to settle the public accounts in bills of credit of this province, which bills of credit the said committees were thereby enjoined and required to burn, sink and destroy. But forasmuch as the present defenseless state of the city of Philadelphia in this time of imminent danger, occasioned by the wars between our Most Gracious Sovereign and the Courts of France and Spain, render it absolutely necessary that some further provision should be made for the protection of His Majesty's subjects within this province, and being desirous to afford that safety to the said city and the inhabitants thereof which their present defenseless situation may require, we, the representatives of the people, have given and granted and do hereby cheerfully and voluntarily give and grant unto His Majesty the sum of twenty-three thousand five hundred pounds for the uses and purposes hereinafter mentioned, and do pray that it may be enacted and

[Section I.] Be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of New castle, Kent and Sussex upon Delaware, by and with the advice

¹ Passed September 26, 1761, Chapter 470.

and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That the said trustees, as soon as they have sold the said bills of exchange by virtue of the act hereinbefore recited and received the moneys arising thereby, shall, out of the moneys so received as aforesaid and ordered by the said act to be burnt, sunk and destroyed retain and keep in their hands and possession, the sum of twenty-three thousand five hundred pounds hereby given and granted to His Majesty, and no more, anything in the said recited act to the contrary notwithstanding, subject nevertheless to the orders and drafts and to the several uses and purposes hereinafter mentioned and declared.

[Section II.] And be it further enacted by the authority aforesaid, That Lynford Lardner, Thomas Cadwalader, Joseph Fox, John Hughes, Joseph Galloway, John Baynton and John Morton, Esquires, or the majority of them or of the survivors of them, with the consent and approbation of the governor or commander in chief for the time being and not otherwise, shall apply, order and appoint the disposition of the moneys granted by virtue of this act, fifteen thousand pounds, part thereof, for and towards raising, victualling, clothing and paying a number of officers and men to be used and employed in the protection and defense of the city of Philadelphia until the first day of November next [ensuing], and for and towards building and erecting such fortifications as may be necessary for the security of the city of Philadelphia and five thousand pounds more thereof for and towards defraying the expense of a certain treaty soon expected to be held with the northern and western Indians, and three thousand five hundred pounds more thereof towards paying such certificates as have been heretofore or shall be hereafter drawn by order of assembly for the incidental charges of this government for the current year not heretofore provided for and the salaries of the commissioners hereby nominated and appointed.

[Section III.] And be it further enacted by the authority aforesaid, That the said Lynford Lardner, Thomas Cadwalader, Joseph Fox, John Hughes, Joseph Galloway, John Baynton and John Morton, or a majority of them [or of the survivors of them],

shall and they are hereby enjoined and required to draw orders on the trustees of the general loan office for the purposes aforesaid, the same purposes being severally first approved of and agreed to by the governor or commander in chief of this province for the time being, which orders so drawn the said trustees shall pay and discharge out of and with the moneys so directed as aforesaid to be retained by them, and when paid shall be produced to the committee of assembly for the time being and by them be allowed in discharge of so much of the moneys granted to the King's use by virtue of this act; and the said commissioners shall have and receive, out of the moneys arising by this act, to pay the incidental charges of government aforesaid, the sum of twenty-three pounds ten shillings each and no more for their trouble in discharging the duties of commissioners hereby required.

[Section IV.] And be it [further] enacted by the authority aforesaid, That so much of the said act hereinbefore recited, and no more, as is hereby altered, changed, contradicted or supplied shall be and is hereby declared to be repealed, null and void to all intents and purposes.

Passed May 14, 1762. Referred for consideration by the King in Council, February 14, 1763, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the notes to the Acts of Assembly passed March 5, 1725-26, Chapter 289; and September 26, 1761, Chapter 470; and the act of Assembly passed March 4, 1763, Chapter 485; October 22, 1763, Chapter 505; May 20, 1767, Chapter 559; February 18, 1769, Chapter 594; March 9, 1771, Chapter 622.