

April 9, 1782, Chapter 965; April 15, 1782, Chapter 984; September 20, 1783, Chapter 1034; (the two Acts of Assembly passed) April 1, 1784, Chapters 1095, 1101; September 23, 1784, Chapter 1115; April 4, 1785, Chapter 1158; April 5, 1785, Chapter 1161. The act in the text was repealed by the Act of Assembly passed October 4, 1788, Chapter 1365.

---

CHAPTER DCLXXII.

---

AN ACT FOR EMITTING THE SUM OF ONE HUNDRED AND FIFTY THOUSAND POUNDS IN BILLS OF CREDIT ON LOAN AND PROVIDING A FUND FOR THE PAYMENT OF PUBLIC DEBTS.

Whereas through the scarcity of gold and silver within this province, occasioned by the frequent remittances thereof to Great Britain in discharge of the debts continually accruing by the importation of manufactures and merchandise from thence and the constant sinking the bills of credit emitted during the late war and granted to His Majesty for the protection of His American Dominions, the improvement, population and commerce of this province are obstructed and the government reduced to great difficulties in paying its just debts and supporting its credit and honor:

For remedy whereof:

[Section I.] Be it enacted by the Honorable Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That bills of credit to the value of one hundred and fifty thousand pounds shall be prepared and printed within twelve months next after the passing of this act on good strong paper, under the care and direction of the trustees of the general loan office of this province hereinafter appointed, the charges whereof shall be paid by the provincial treasurer out of the moneys and bills of credit directed to be made and printed by the act

of general assembly passed in the twelfth year of His present Majesty's reign, entitled "An act for the support of the government of this province, making the excise on wine, rum, brandy and other spirits more equal and preventing frauds in the collecting and paying the said excise,"<sup>1</sup> which bills of credit shall be prepared and made in the manner and form following: That is to say,

"..... according to an act of general assembly of Pennsylvania passed in the thirteenth year of the reign of His Majesty, George the Third. Dated the first day of October, one thousand seven hundred and seventy-three.

And the said bills shall have such like es- cutcheons as in the margin hereof, with such other devices as the said trustees shall think proper, as well to prevent counterfeits as to distinguish their several and respective denomina- tions, each of which bills shall be of the several and respective denominations following and no other: That is to say,



Twenty-eight thousand three hundred of the same bills, the sum of fifty shillings in each of them.

Twenty-eight thousand three hundred of the same bills, the sum of twenty shillings in each of them.

Twenty-eight thousand three hundred of the same bills, the sum of fifteen shillings in each of them.

Twenty-eight thousand three hundred of the same bills, the sum of ten shillings in each of them.

Twenty-eight thousand three hundred and eighteen of the same bills, the sum of five shillings in each of them.

Twenty-eight thousand three hundred and eighteen of the same bills, the sum of two shillings and six pence in each of them.

Twenty-eight thousand three hundred and nineteen of the same bills, the sum of two shillings in each of them.

Twenty-eight thousand three hundred and eighteen of the same bills, the sum of one shilling and six pence in each of them.

And the said trustees shall use their best care, attention and

---

<sup>1</sup> Passed March 21, 1772, Chapter 656.

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 others concerned therein.

And for perfecting the said bills according to the true intent and meaning of this act:

[Section II.] Be it enacted by the authority aforesaid, That all and every of the said bills shall be signed by three of the persons hereafter named: That is to say, Stephen Carmick, Charles Meredith, George Emlen, Junior, Alexander Todd, Joseph Pemberton, Samuel Miles, Owen Jones, Junior, Joseph Miffin, Benjamin Morgan, Barnaby Barnes, William Fisher, Junior, William Wistar, Abraham Usher, Reynold Keen, John Field, Jacob Harman, Mordecai Lewis, Isaac Wharton, William Wishart, Richard Willing, Benjamin Marshall, Samuel Fisher, James Hartley and Joseph Allen, who are hereby nominated and appointed to be signers of the said bills, and shall before they receive or sign any of them take an oath or affirmation to the effect following, viz.:

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 said trustees or any of them, 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.] Be it further enacted by the authority aforesaid, That the said trustees after the said bills shall be printed shall deliver from time to time so many of them to the signers aforesaid, to be signed and numbered by parcels, as they shall judge necessary to supply the demands of the borrowers and no more, for which the said signers or some of them shall give their receipt: That is to say, three thousand pounds value in the said bills at one time to any three of them, and so from time to time until all the said bills of credit shall be signed and numbered in such manner that not more than the value of three thousand pounds shall remain in such signer's hands at one time, of all which said bills of credit so delivered to be signed

and numbered a true account shall be kept by the signers, who upon their re-delivery of each or any parcel of the said bills by them signed and numbered shall take the receipt of the said trustees or any of them to charge them before any committee of assembly to be appointed for that purpose; and each of the said signers shall receive ten shillings for every thousand of the said bills by them signed and numbered and no more, to be paid by the provincial treasurer out of the moneys arising by the said act, entitled "An act for the support of the government of this province, making the excise on wine, rum, brandy and other spirits more equal and preventing frauds in the collecting and paying the said excise."<sup>1</sup>

[Section IV.] And be it further enacted by the authority aforesaid, That Samuel Preston Moore and Amos Strettell of the city of Philadelphia; Abraham Chapman, of the county of Bucks; Humphrey Marshall, of the county of Chester; and Moses Brinton, of the county of Lancaster, gentlemen, shall be and are hereby appointed trustees of the general loan office of the province of Pennsylvania, and that they the said trustees and their successors and every of them before they shall enter upon the execution of their trust or any part thereof shall give and duly execute a bond to the governor of this province for the time being and his successors with three sufficient sureties, such as he shall approve of, in the sum of five thousand pounds, conditioned for the faithful execution of the trust and performance of all and every the acts, matters and things enjoined and required of them by this act; and shall also take an oath or affirmation before some justice of the peace, to be indorsed on the said bond, in the words following, viz.:

I, A. B., will to the best of my skill and knowledge faithfully, impartially and truly perform and discharge the trust required of me by an act of general assembly of this province, entitled "An act for emitting the sum of one hundred and fifty thousand pounds in bills of credit on loan, and providing a fund for the payment of public debts," so that none may be prejudiced by my consent, privity or procurement, and that I will not lend out for or apply or appropriate to my own private use or benefit or the use or benefit of any other person or persons whatsoever

---

<sup>1</sup> Passed March 21, 1772, Chapter 656.

any of the moneys to me entrusted, otherwise than according to the directions, true intent and meaning of the said act.

[Section V.] And be it further enacted by the authority aforesaid, That the said oath or affirmation so to be taken by the said trustees shall be indorsed on their respective bonds, which bonds with the indorsements aforesaid shall be delivered to the recorder of deeds for the county of Philadelphia to be by him recorded; and in case the said bonds or any of them shall in any wise be forfeited, the same shall be sued and prosecuted and the penalties thereof recovered for the benefit, advantage and use of the province.

[Section VI.] And be it further enacted by the authority aforesaid, That the said trustees shall be one body politic and corporate in law, and by the name of "Trustees of the General Loan Office of the Province of Pennsylvania" are hereby authorized and empowered to receive applications from borrowers, judge of and determine the value of the lands and tenements, rents and hereditaments offered in mortgage and the validity of their titles, to take and receive mortgages, give receipts for moneys received, take, hold and enjoy to them and their successors in their said trust all such lands, tenements, rents and hereditaments as shall be granted them in mortgage, sell and dispose of estates forfeited, to sue, be sued and defend any suit or suits brought against them, and generally to do, perform and execute all and every act, matter and thing necessary for the just and due performance and execution of the trust reposed in them by virtue of this act.

Provided always nevertheless, That it shall not be lawful to and for the said trustees to emit on loan any of the said bills of credit on any land security which shall lie in any of the counties (other than such counties where any of the said trustees shall reside) before a certificate under the hands of the commissioners of the county or any two of them where such landed security is situate certifying the value thereof shall be produced to them, which said certificate the said commissioners on application to them made shall make out and deliver to the person applying; but before the said commissioners shall grant

such certificate they and each of them shall before some justice of the peace of their county take an oath or affirmation:

That they will certify under their hands the value of all such lands and other hereditaments within their said county having regard to the last assessment thereof, as they shall be requested to certify by any person or persons intending to mortgage as directed by this act; which certificate they shall deliver to the person applying, to be by him produced to the trustees of the general loan office, which said qualification shall be certified and deposited by the said justice with the clerk of the county court of quarter sessions for the county for which such commissioners are chosen, to be by him filed and preserved, and that the said commissioners shall have and be paid out of the interest arising on the loans made in pursuance of this act the sum of three shillings and nine pence for each certificate and no more, and that the said certificates shall be duly filed and preserved by the said trustees for the inspection of the assembly and their committees.

[Section VII.] Provided also, and be it enacted by the authority aforesaid, That none of the trustees hereinbefore appointed or hereafter to be 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 of credit, moneys, securities, books of accounts and other writings relating or belonging to the said loan office, and so from time to time during the continuance of this act, anything herein contained to the contrary notwithstanding.

[Section VIII.] And be it further enacted by the authority aforesaid, That the said trustees shall lend out the said sum of one hundred and fifty thousand pounds of the said bills of credit hereby directed to be made in the proportions hereinafter mentioned for and during the space and unto the full end and term of sixteen years from the first day of March in the year of our Lord one thousand seven hundred and seventy-four; all which loans made by virtue of this act shall be made in sums not exceeding two hundred pounds nor less than twenty-five 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 encumbrances, the proprietary quit-rents and other rents charged on the same and discovered to the said trustees only excepted, and that the said trustees shall inform themselves the best they can of the validity of the titles and of the clear value of all messuages, lands 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 treble the value of the sums requested to be lent; and that as to the messuages 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 treble the 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 first day of September by equal payments with the whole interest accrued at the rate of five per cent. per annum.

[Section IX.] And be it further enacted by the authority aforesaid, That the said sum of one hundred and fifty thousand pounds shall be emitted on loan by the trustees aforesaid in the manner hereinbefore directed to the inhabitants of the several and respective counties within this province in the following proportions, viz.:

Forty thousand pounds to the inhabitants of the city and county of Philadelphia.

Fourteen thousand pounds to the inhabitants of the county of Bucks.

Eighteen thousand pounds to the inhabitants of the county of Chester.

Eighteen thousand pounds to the inhabitants of the county of Lancaster.

Twelve thousand pounds to the inhabitants of the county of York.

Ten thousand pounds to the inhabitants of the county of Cumberland.

Fourteen thousand pounds to the inhabitants of the county of Berks.

Nine thousand pounds to the inhabitants of the county of Northampton.

Eight thousand pounds to the inhabitants of the county of Bedford.

And seven thousand pounds to the inhabitants of the county of Northumberland.

Provided always, That if there shall not within the space of nine months next after the first money shall be emitted by virtue of this act be applications for the said respective proportions of money from the inhabitants of the said counties, respectively, then and in such case it shall and may be lawful for the said trustees to lend out the surplus thereof to such person or persons as shall apply for the same in the manner and on the securities aforesaid.

Provided also, That if any mortgagor of any messuages, lands or rents mortgaged in pursuance of this act, his heirs, executors, administrators or assigns, shall be inclined 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 by paying down the whole principal sums due and to become due together with the interest and charges then accrued on the first day of March in any year during the continuance of this act.

[Section X.] And be it further enacted by the authority aforesaid, That the principal sums and all and singular the parts, parcels and quotas thereof or any of them payable to the trustees of the said general loan office by any mortgagor or person whatsoever 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 notwith-



standing, but the same principal sums hereafter to be recovered or received by the said trustees before the first day of March in the year of our Lord one thousand seven hundred and eighty-four shall be from time to time again lent out 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 again lent out as aforesaid shall be recovered or received before the aforesaid first day of March, one thousand seven hundred and eighty-four, the principal moneys thence arising shall in like manner from time to time be lent out again on the like securities as aforesaid; and the said trustees or some of them shall weekly attend at their office at Philadelphia on Tuesdays and Wednesdays until the aforesaid sum of one hundred and fifty thousand pounds of the said bills of credit hereby directed to be made and the sums of money lent out and received as aforesaid shall be wholly lent out as this act directs, and afterwards on the second Tuesday in October, December, February, April, June and August in every year during the continuance of this act, and at such other times as their duty and trust shall require.

[Section XI.] And be it enacted by the authority aforesaid, That all and every of the said deeds of mortgage shall be fairly entered in books of large paper to be provided by the said trustees, attested copies of which deeds so entered and certified by the said trustees or any of them for the time being shall be and are hereby declared to be good evidence to prove the mortgages thereby mentioned to be made; and on every of the aforesaid deeds of mortgage shall be indorsed or added an oath or affirmation to be taken by the mortgagor or mortgagors before some or one of the said trustees or some justice of the peace, 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 arrearages of the proprietaries' quit-rents and any former gift, grant, sale, mortgage, judgment or any other encumbrance to the knowledge of such mortgagor or mortgagors, 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 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 execution of such deed seized of the hereditaments and premises thereby granted of an indefeasible estate of inheritance free from encumbrances, the rents so as aforesaid to be discovered to the said trustees only excepted.

[Section XII.] 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 to the trustees aforesaid, 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 said 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, or 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 warrant 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 money 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 in their respective deeds of mortgage specified, the said trustees after six months next following such default made as aforesaid shall issue their precept to the sheriff of the county where the mortgaged premises shall lie, commanding him to enter upon the messuages, lands, rents and hereditaments, respectively, in the deeds of mortgage specified, and the same or such part thereof as shall be sufficient to discharge and satisfy the mortgage moneys, with the interest thereof and costs accruing on the sale, to sell on the premises by public auction or vendue and convey to the highest bidder, after at least thirty days' public notice given of such sale by advertising them in the newspapers and by fixing advertisements in some of the most public places in the county, and out of the moneys arising by such sale to raise the principal sums due and to become due, with the interest, costs and charges accrued, returning the overplus if any to the owners of such lands and hereditaments, and also to pay and deliver the said principal sums and interest to the said trustees for the use of the province, which said precept the said sheriff is hereby enjoined and required fully and impartially to execute, for which he shall have the same fees for advertising and sale as are allowed by law for like services where lands are sold by a writ of venditioni exponas and no more.

[Section XIII.] And be it further enacted, That the mortgagor and mortgagors of all such lands as shall be sold by virtue of this act shall stand and be foreclosed of and from all right of redemption of the same.

[Section XIV.] And be it further enacted by the authority aforesaid, That the said trustees shall indorse upon each mortgage deed their receipts of all the yearly quotas paid by the respective mortgagors, distinguishing the principal sum from the interest, which they shall also note on the counterparts to them

produced when required, 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 mortgagor 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 act, and of what they lend, emit or pay by virtue hereof or by orders of the governor and assembly, in regular day books, journals and ledgers to be fairly kept for those purposes, and shall exhibit the same, together with their other vouchers, to the committees of assembly appointed for settling the public accounts, who shall adjust and settle the said accounts and report the same to the house.

[Section XV.] And be it further enacted by the authority aforesaid, That the said trustees shall have and receive for the services enjoined and required of them by this act the sum of six hundred pounds per annum during the continuance of their re-emitting on mortgage as aforesaid, and the sum of five hundred pounds per annum during the further continuance of this act, and no more, out of the interest money which shall come to their hands by virtue of this act.

[Section XVI.] And be it further enacted by the authority aforesaid, That if it shall appear on the settlement of the accounts of the said trustees by the said committees and a confirmation thereof by the house of assembly that any deficiency hath happened by any borrower or mortgagors not having right to the lands or tenements mortgaged or in the value thereof, or by any other ways or means whatsoever to pay the moneys and the interest accrued thereon with the costs of such suits as shall be prosecuted for the same, then and in every such case the said trustees, having an order from the assembly for the purpose, shall draw an order on the treasurer of the county in which such deficiencies shall happen for the payment of such deficiencies if so much money shall then be in the treasury, and if not the said trustees shall and they are hereby authorized and empowered to issue their precept to the commissioners and assessors of the said county, enjoining them to cause the said deficiencies so happening with such costs and charges as shall ac-

crue and be paid by the said trustees in endeavoring to recover the same forthwith to be assessed, raised and levied of and upon the county in the same manner, by the same persons and under the same pains, penalties and forfeitures as other county rates are by law directed to be assessed, raised and levied, which the said commissioners and assessors are hereby enjoined and required to do; and the said deficiencies when so levied shall be paid to the said trustees in order to replace the bills of credit so deficient.

[Section XVII.] And be it further enacted by the authority aforesaid, That if the said commissioners and assessors shall upon receipt of such precept refuse or neglect with all convenient speed to cause to be assessed, raised and levied all such deficiencies as are mentioned in the said precept in the manner hereinbefore directed, every such commissioner and assessor so refusing or neglecting, being thereof legally convicted, shall forfeit the sum of one hundred pounds for every such refusal or neglect.

[Section XVIII.] And be it further enacted by the authority aforesaid, That the said trustees shall once in every year or oftener exhibit their accounts aforesaid and produce their said books and other vouchers, together with all moneys remaining in their hands, unto the committees of assembly of this province appointed for that purpose, who shall count the said money and settle and adjust the said accounts and make report thereof to the assembly, and all the interest money by the said trustees from time to time received being accounted for and the salaries and charges allowed by this act deducted, the residue thereof shall be paid by the said trustees to the provincial treasurer, to be disposed of by the governor and assembly, and not otherwise; and the said treasurer shall have and receive for his trouble in receiving and paying the same ten shillings for every hundred pounds and no more.

[Section XIX.] And be it further enacted by the authority aforesaid, That all yearly quotas and payments in the bills aforesaid, part of the principal sums to be emitted or re-emitted upon loan as this act directs, which by virtue of any mortgage or security to be taken as aforesaid shall be recovered or received and

remain in the hands of the trustees on or after the first day of March, in the year of our Lord one thousand seven hundred and eighty-four, the said trustees shall from time to time as they come to their hands exhibit the same bills to the aforesaid committees, who having duly examined them shall cause the same to be burnt and destroyed in their presence.

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

[Section XX.] 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 aforesaid up to their annual payments, as by this 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, but to consider and report the same as moneys in the hands of the said trustees, for which the said trustees shall be accountable, excepting only such sums for which the trustees have commenced suits or otherwise have proceeded according to the directions of this act for the recovery of the money due.

[Section XXI.] And be it further enacted by the authority aforesaid, That if any of the said trustees hereinbefore appointed or hereafter to be appointed by virtue of this act shall neglect or refuse to act as trustee or shall happen to die or be removed for misfeasance in his office, some other fit person shall be appointed by the governor and assembly in the place or places of such trustees or trustees, unless such neglect, refusal, death or removal shall happen at a time when there may be no lieutenant-governor residing in this province; in which case and not otherwise some other fit person or persons shall be appointed by the assembly, and the said trustee or trustees so to be appointed shall have, hold and exercise the same powers and authorities to all intents and purposes as if he or they were appointed by this act.

Provided always, That none of the said trustees appointed in and by virtue of this act shall continue in the exercise of their

said office longer than the space of four years from the time of the commencement of their said trust, and from thence until a new nomination and appointment shall be made by the governor and assembly, anything in this act to the contrary notwithstanding.

[Section XXII.] 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, viz.: For every mortgage-deed, recording the same, the counterpart of copy thereof, the mortgagor's oath or affirmation indorsed 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 mortgagor.

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 the mortgagors, with the sums they borrow and date of their mortgage-deeds, and the same list shall transmit or deliver to the committees of assembly to be appointed to settle 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 directed and required of him by this act, wherein he will give no undue preference or unnecessary delays or be guilty of any fraudulent practice.

[Section XXIII.] 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 directed to be emitted by this act by printing or procuring the same to be printed 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 so counterfeited as aforesaid, and being thereof legally convicted by confession, standing mute, or by the verdict of twelve men in any court of oyer and terminer within this province, he, she or they shall suffer death without benefit of clergy, and the discoverer or informer shall have as an encouragement for his discovery the sum of fifty pounds, to be levied 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 so 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 have both his or her ears cut off and nailed to the pillory, and 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 or 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 shall be 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 out of the interest money which shall be in their hands; and every such counterfeit bill shall be delivered to the said trustees to be burnt or destroyed by them in the presence of a committee of assembly.

[Section XXIV.] 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 specially.

Passed February 26, 1773. Referred for consideration by the King in Council, February 2, 1774, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXXI, and the note to the Act of Assembly passed March 5, 1725-26, Chapter 289.

---

## CHAPTER DCLXXIII.

---

### AN ACT FOR ERECTING A NEW GAOL, WORKHOUSE AND HOUSE OF CORRECTION IN THE CITY OF PHILADELPHIA.

Whereas it has been represented to the assembly that the gaol and workhouse in the City of Philadelphia are insufficient for the safe custody of the criminals and others committed to the same, and that from the smallness of the lot of ground, the inconveniency of the buildings and inner apartments and the increased number of persons confined therein the health not only of the said prisoners but of the inhabitants of the said city is greatly endangered:

For remedy whereof:

[Section I.] Be it enacted by the Honorable Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That it shall and may be lawful to and for the commissioners for the county of Philadelphia to borrow from any person or persons, bodies politic or corporate, who shall be willing to lend, any sum or sums of money which they shall think sufficient and necessary for the purposes hereinafter mentioned, and every