

of the poor, to issue their warrants under their hands and seals directed to the overseers of the poor of the said county, district or township, requiring them forthwith to levy, collect and raise by an equal assessment upon the clear yearly value as they shall reasonably estimate the same of all real and personal estates within the said county, districts or townships, respectively, a rate or tax not exceeding seven shillings and sixpence in the pound, upon all taxables and a sum not exceeding six pounds per head, nor less than three pounds on all freemen not otherwise rated for such tax for the relief of the poor, and the said rate shall be repeated, as often as the said justices and overseers shall find the same necessary.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said-recited act for the relief of the poor passed the twenty-ninth day of March, in the year of our Lord one thousand seven hundred and seventy-one, except so much as is hereinbefore altered and repealed, shall continue, be and remain and is hereby declared to be in full force and effect.

Passed November 27, 1779. See the note to the Act of Assembly passed March 9, 1771, Chapter 635. The Act in the text was repealed by the Act of Assembly passed March 25, 1782, Chapter 90...

CHAPTER DCCCLXXIV.

AN ACT FOR VESTING THE ESTATES OF THE LATE PROPRIETARIES OF PENNSYLVANIA IN THIS COMMONWEALTH.

(Section I, P. L.) Whereas the charter from Charles the Second, heretofore king of England, to William Penn, under which the late province, now state of Pennsylvania, was first begun to be settled, was granted and held for the great ends of enlarging the bounds of human society and the cultivation and promotion of religion and learning; and the rights of property and powers of government thereby vested in the said William Penn and his heirs were stipulated to be used and enjoyed

as well for the benefit of the settlers as for his own particular emolument, agreeable to the terms of the said charter and of certain conditions and concessions entered into between them:

(Section II, P. L.) And whereas the claims heretofore made by the late proprietaries to the whole of the soil contained within the bounds of the said charter, and in consequence thereof the reservation of quit-rents and purchase money upon all the grants of lands within the said limits, cannot longer consist with the safety, liberty and happiness of the good people of this commonwealth, who, at the expense of much blood and treasure have bravely rescued themselves and their possessions from the tyranny of Great Britain, and are now defending themselves from the inroads of the savages:

(Section III, P. L.) And whereas the safety and happiness of the people is the fundamental law of society, and it has been the practice and usage of states most celebrated for freedom and wisdom to control and abolish all claims of power and interest inconsistent with their safety and welfare; and it being the right and duty of the representatives of the people to assume the direction and management of such interest and property as belongs to the community, or was designed for their advantage:

(Section IV, P. L.) And whereas it has become necessary that speedy and effectual measures should be taken in the premises on account of the great expenses of the war, and the rapid progress of the neighboring states in locating and settling the lands heretofore uncultivated, by which multitudes of inhabitants are daily emigrating from this state:

[Section I.] (Section V, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That all and every the estate, right, title, interest, property, claim and demand of the heirs and devisees, grantees or others claiming as proprietaries of Pennsylvania, whereof they or either of them stood seized, or to which they or any of them were entitled, or which to them were deemed to belong on the fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, of,

in or to the soil and land contained within the limits of the said late province, now state, of Pennsylvania, or any part thereof, together with the royalties, franchises, lordships and all other the hereditaments and premises comprised, mentioned and granted in the same charter or letters patent of the said King Charles the Second (except as hereinafter excepted), shall be and they are hereby vested in the commonwealth of Pennsylvania for the use and benefit of the citizens thereof, freed and discharged and absolutely acquitted, exempted and indemnified of, from and against all estates, uses, trusts, entails, reversions, remainders, limitations, charges, encumbrances, titles, claims and demands whatsoever from, by or under the said charter or letters patent or otherwise, as fully, clearly and entirely as if the said charter or letters patent, and the estates, interests, hereditaments and premises therein comprised, mentioned and granted and all other the estate, right and title of the said proprietaries of, in and to the same premises were herein transcribed and repeated.

[Section II.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said soil and lands, hereditaments and premises and every part and parcel thereof (except as herein is excepted) from and after the date hereof shall be subject to such disposal, alienation, conveyance, division and appropriation as to this or any future legislature of this commonwealth shall from time to time seem meet and expedient in pursuance of such law or laws as shall for that purpose hereafter be made and provided.

[Section III.] (Section VII, P. L.) Provided always and be it enacted by the authority aforesaid, That all and every the rights, titles, estates, claims and demands which were granted by or derived from the said proprietaries, their officers or others by them duly commissioned, authorized and appointed or otherwise, or to which any person or persons other than the said proprietaries were or are entitled either in law or equity by virtue of any deed, patent, warrant or survey, of, in or to any part or portion of the lands comprised and contained within the limits of this state, or by virtue of any location filed in the land office at any time or times before the said fourth day of July

in the year of our Lord one thousand seven hundred and seventy-six, shall be and they are hereby confirmed, ratified and established forever, according to such estate or estates, right or interests, and under such limitations and uses as in and by the several and respective grants and conveyances thereof are directed and appointed.

[Section IV.] (Section VIII, P. L.) Provided also, and be it enacted by the authority aforesaid, That all and every the private estates, lands and hereditaments of any of the said proprietaries whereof they are now possessed, or to which they are now entitled in their private several rights or capacity by devise, purchase or descent, and likewise all the lands called and known by the name of The Proprietary Tenths or Manors, which were duly surveyed and returned into the land office on or before the fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, together with the quit or other rents and arrearages of rents reserved out of the said proprietary tenths or manors, or any part or parts thereof, which have been sold, be confirmed, ratified and established forever according to such estate or estates therein, and under such limitations, uses and trusts as in and by the several and respective reservations, grants and conveyances thereof are directed and appointed.

[Section V.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That all and every the quit-rents which at any time or times heretofore have been reserved in and by any warrant, patent or other conveyance of lands or other hereditaments from, by or under the said proprietaries, their officers or others by them commissioned and appointed, and all and every the dues and arrearages of quit-rents and arrearages of purchase moneys for lands not within the tenths or manors aforesaid or which at any time or times heretofore have been deemed or taken to be due and in arrear, other than the quit or other rents reserved within the proprietary tenths or manors before mentioned shall from henceforth cease and determine and the same lands and other hereditaments shall be held free and discharged therefrom and from the payment thereof forever.

[Section VI.] (Section X, P. L.) Provided always and be it further enacted by the authority aforesaid, That in order to preserve equality among the purchasers of land under the said late proprietaries, the said arrears of purchase money, other than for lands within the said tenths and manors shall be accounted to be due and payable to the commonwealth.

[Section VII.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That all and every law or laws, act or acts of assembly heretofore made and enacted by the legislature of the province of Pennsylvania, or such parts and clauses thereof by which any right, title or claim, power or authority is or are given or granted, ratified or established in the said proprietaries, or any of them, their, or any of their officers or servants, of, in or to any of the estates, lands or other hereditaments herein and hereby vested and confirmed or meant to be hereby vested and confirmed in this commonwealth for the use and benefit of the citizens thereof, or of, in or to the quit-rents and purchase money and arrearages thereof, or of, in or to any portion thereof, herein and hereby released, discharged and abolished, or meant so to be, be and they are hereby annulled, revoked and repealed.

(Section XII, P. L.) And whereas the freemen of this commonwealth being desirous to manifest not only a regard to their own safety and happiness, but their liberality also and remembrance of the enterprising spirit which distinguished the founder of Pennsylvania, and mindful of the expectations and dependence of his descendants on the propriety thereof, and also that sundry marriage settlements and testamentary dispositions have been made thereupon, which will be wholly defeated and the parties exposed to great disappointment and loss if no provision be made therein:

[Section VIII.] (Section XIII, P. L.) Be it therefore enacted by the authority aforesaid, That the sum of one hundred and thirty thousand pounds sterling money of Great Britain be paid out of the treasury of this state to the devisees and legatees of Thomas Penn and Richard Penn, late proprietaries of Pennsylvania respectively and to the widow and relict of the said Thomas Penn, in such proportions as shall hereafter by the

legislature be deemed equitable and just upon a full investigation of their respective claims.

(Section XIV, P. L.) Provided always that no part of the said sum of one hundred and thirty thousand pounds sterling shall be paid within less than one year after the termination of the present war with Great Britain and that no more than twenty thousand pounds sterling, nor less than fifteen thousand pounds sterling thereof shall be paid or payable in any one year until the whole sum be fully paid and discharged; and the first annual payment thereof be made at the expiration of one year after the termination of the said war.

(Section XV, P. L.) And whereas divers persons who have acted under the said late proprietaries, or any of them, as secretaries of the land office, receiver of purchase money, rents or other income, surveyor-general, surveyors of land, or otherwise, or being the heirs or representatives of such persons, are possessed of divers books, surveys, returns of survey, certificates, orders, or other documents, instruments, records or writings, or seals to the said propriety belonging or appertaining, or which have been usually lodged and kept in the several and respective offices of secretary of the land office, receiver-general, and surveyor-general, may neglect or refuse to deliver up the same, undiminished, to the supreme executive council of this state, as is proper and necessary upon the passing of this act:

[Section IX.] (Section XVI, P. L.) Be it therefore enacted by the authority aforesaid, That if any person or persons whatsoever who now is, or are, or hereafter shall be possessed of any of the said books, surveys, returns of survey, certificates, orders or other documents, instruments, records, writings or seals and shall, after demand thereof in writing, made by the president or vice-president of the supreme executive council of this state for one month after such demand, refuse or neglect to deliver up the same to the person or persons empowered by the said president or vice-president to receive the same, such person or persons so refusing shall forfeit and pay to the use of the commonwealth any sum not exceeding five hundred thousand pounds upon being convicted by indictment in any court of oyer and terminer; and moreover if such person or persons after

such conviction persist in such refusal, such person or persons shall be sentenced to imprisonment until he or they deliver the books, surveys or other hereinbefore mentioned articles by such person or persons withheld as aforesaid.

Passed November 27, 1779. See the Acts of Assembly passed April 1, 1784, Chapter 1094; February 10, 1785, Chapter 1130; March 16, 1785, Chapter 1137; March 28, 1787, Chapter 1284; April 9, 1794, Chapter 1562; April 3, 1794, Chapter 1727; March 23, 1797, Chapter 1934

CHAPTER DCCCLXXV.

AN ACT FOR THE BETTER SUPPORT OF CERTAIN OFFICERS OF THIS STATE AND FOR ASCERTAINING THE SPECIFIC FINES AND PENALTIES WHICH THEY MAY INCUR BY NEGLIGENCE OF DUTY.

(Section I, P. L.) Whereas the fees of the officers of this commonwealth who are hereafter mentioned as now regulated by law are by the great rise of the prices of the necessaries of life, become very inadequate to their expenses whilst they attend the public business, which, if it be not remedied must force the said officers to abandon their employments or introduce great exaction or extortion to the manifest enfeebling of the public authority and oppression of private persons:

(Section II, P. L.) And whereas the specific fines and penalties to which the said officers are severally and respectively liable for neglect of duty, are generally become uncertain and insufficient:

For remedy whereof:

[Section I.] (Section III, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the fees of the said officers shall be estimated and paid according to the price of good merchantable wheat, in manner following, That is to say, the said