

CHAPTER MCXXX.

AN ACT TO AUTHORIZE AND DIRECT THE IMMEDIATE PAYMENT OF THE SUM OF FIFTEEN THOUSAND POUNDS STERLING TO THE DEVISEES AND LEGATEES OF THOMAS PENN AND RICHARD PENN AND TO THE WIDOW AND RELICT OF THE SAID THOMAS PENN, BEING THE FIRST YEARLY PAYMENT DIRECTED TO BE PAID TO THEM BY AN ACT OF ASSEMBLY OF THIS COMMONWEALTH, ENTITLED "AN ACT FOR VESTING THE ESTATE OF THE LATE PROPRIETARIES OF PENNSYLVANIA IN THE COMMONWEALTH."¹

(Section I, P. L.) Whereas in and by an act of general assembly of this commonwealth entitled "An act for vesting the estate of the late proprietaries of Pennsylvania in the commonwealth,"¹ passed on the twenty-seventh day of November which was in the year of our Lord one thousand seven hundred and seventy-nine it was for the consideration therein mentioned enacted and provided that the sum of one hundred and thirty thousand pounds sterling money of Great Britain should be paid out of the treasury of this state to the heirs and devisees of Thomas Penn and Richard Penn, late proprietaries of Pennsylvania respectively and to the widow of Thomas Penn in such proportions as should hereafter by the Legislature be deemed equitable and just upon a full investigation of their respective claims but that no part of the said sum of one hundred and thirty thousand pounds sterling should be paid as aforesaid within less than one year after the termination of the present war between the United States of America and Great Britain nor more than twenty thousand pounds sterling nor less than fifteen thousand pounds sterling thereof should be paid or payable in any one year until the whole sum be discharged, and that the first annual payment thereof be made at the expiration of one year after the termination of the war:

(Section II, P. L.) And whereas the late general assembly of this commonwealth mindful of the premises did by an act entitled "An act to empower the supreme executive council to

¹ Passed November 27, 1779, Chapter 874.

sell the barracks in the Northern Liberties of the city of Philadelphia,"² enacted on the first day of April last, empower the president or vice president in council to cause to be set up to public sale, and to sell and convey to the purchasers thereof the said barracks and the lot of ground whereon they were situated and did appropriate the money arising from the sale aforesaid to satisfy the first annual sum of fifteen thousand pounds sterling due and payable to the heirs and devisees of Thomas Penn and Richard Penn and to the widow and relict of Thomas Penn as aforesaid:

(Section III, P. L.) And whereas the late war between the United States of America and Great Britain was happily and finally terminated and ended and peace fully established between the parties engaged in the late war by the signing of the definitive treaty made at Paris on the third day of September which was in the year of our Lord one thousand seven hundred and eighty-three, and more than one year hath elapsed since the termination of the war aforesaid; and it is just and proper that the first annual payment as aforesaid should be made:

Therefore;

[Section I.] (Section IV, 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 sum of fifteen thousand pounds sterling money of Great Britain be immediately paid as by the act first recited is directed on warrant or warrants for the same signed by the president or vice-president in council on the treasurer of this state, such warrant to be first entered in the office of the comptroller-general and to be made payable to the person or persons who shall be legally empowered to receive and give proper acquittance for the same: and if any controversy shall arise among and between the several claimants thereof the president or vice-president in council shall and may at their discretion nevertheless proceed to pay the said sum of fifteen thousand pounds sterling to and amongst the representatives of the said Thomas Penn and Richard Penn and the widow of the said Thomas Penn as aforesaid or such of them as shall

² Passed April 1, 1784, Chapter 1097.

choose to receive the same, taking security nevertheless if the supreme executive council shall deem it necessary, that the money so paid shall be justly and fairly distributed and applied according to the true intent and meaning of the act before recited entitled, "An act for vesting the estates of the late Proprietaries of Pennsylvania in the Commonwealth,"¹

(Section V, P. L.) And whereas the said sale of the said barracks and lot of ground will not produce a sum sufficient for the payment of the said fifteen thousand pounds sterling now due, and which ought to be paid as aforesaid and it is therefore proper and necessary to make further provision for making such payment:

[Section II.] (Section VI, P. L.) Be it enacted by the authority aforesaid, That in addition to the moneys which have arisen and shall arise and come into the treasury of this state from and on account of the sale of the said barracks and lot of ground there be and shall be appropriated so much as shall be necessary to make up the residue of the said fifteen thousand pounds sterling, of the moneys which have been received or arisen, and become due for imposts, or duties on goods, wares and merchandise imported into this state, between the twenty-fifth day of March last and the first day of November last; and in case any of the money arising or to arise from the sale of the said barracks and lot of ground shall be outstanding, or not paid into the treasury at the passing of this act, then a sum equal to such outstandings shall be advanced out of the said imposts and duties and such advancement shall be adjusted by the treasurer when such outstanding money shall be paid into the treasury.

[Section III.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the said sum of fifteen thousand pounds sterling shall be paid as aforesaid in English guineas weighing five pennyweights and six grains each at the rate of twenty-one shillings each or in Spanish milled dollars weighing seventeen pennyweights and six grains each at the rate of four shillings and sixpence each, or in other gold or silver coin at the like rate or proportionate value together with lawful interest from the [said] third day of Septem-

ber last, to the time of payment or offer of payment by the supreme executive council of the said fifteen thousand pounds, such offer of payment shall be by calling upon the persons entitled to receive the said sum of fifteen thousand pounds to appear in person or by [his or their] lawful attorney [or attorneys] by notice to that effect, published in three successive weekly newspapers of Philadelphia; ten days after the last of which notices all interest upon the said sum shall cease.

Passed February 10, 1785. Recorded L. B. No. 2, p. 409, etc. See the Act of Assembly passed March 28, 1787, Chapter 1284.

CHAPTER MCXXXI.

AN ACT TO DISSOLVE THE MARRIAGE OF NATHANIEL IRWIN AND MARTHA, HIS WIFE.

(Section I, P. L.) Whereas Nathaniel Irwin, of the township of Warrington and county of Bucks, minister of the gospel, hath applied to this general assembly by petition, therein setting forth that his wife Martha hath been guilty of adultery and by such and other parts of her conduct has induced him to pray the legislature to grant him a divorce from her the said Martha:

(Section II, P. L.) And whereas by authenticated copies of the records of two several courts of justice as well as by other evidence the house are fully convinced the said Martha Irwin hath been guilty of the crime with which she is charged in said petition:

Therefore,

[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 marriage of the said Nathaniel Irwin with the said Martha Irwin be dissolved, and it is accord-