

strued to prevent or bar any person or persons from enjoying, having or pursuing in due course of law his, her or their own private claim, right, title or possession of, to or in the said lots or either of them or to any part of them or to either of them.

Passed March 29, 1787. Recorded L. B. No. 3, p. 236, etc.

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#### CHAPTER MCCXCIV.

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AN ACT TO ALTER THE TEST OF ALLEGIANCE TO THIS COMMONWEALTH REQUIRED BY AN ACT PASSED THE FOURTH DAY OF MARCH ONE THOUSAND SEVEN HUNDRED AND EIGHTY-SIX, ENTITLED "AN ACT FOR SECURING TO THIS COMMONWEALTH THE FIDELITY AND ALLEGIANCE OF THE INHABITANTS THEREOF AND FOR ADMITTING CERTAIN PERSONS TO THE RIGHT OF CITIZENSHIP."

(Section I. P. L.) Whereas in and by an act of the general assembly of this commonwealth passed the fourth day of March, one thousand seven hundred and eighty-six, entitled "An act for securing to this commonwealth the fidelity and allegiance of the inhabitants thereof and for admitting certain persons to the rights of citizenship,"<sup>1</sup> it was enacted that each and every of the male white inhabitants of this Commonwealth who by reason of having omitted or neglected to take and subscribe all or any of the oaths or affirmations of allegiance and fidelity to this commonwealth as required by the several laws thereof or any of them, was or has been debarred from any of the rights of citizenship, should immediately after his taking and subscribing before any justice of the peace of the ward, township or district wherein he resides (or in case there were no justice of peace within such ward, township or district, then and in that case only before the nearest justice of [the] peace to where such person resides) the oath or affirmation of allegiance and abjuration in the said act specified be and he was by the said act declared to be a free citizen of this commonwealth and entitled

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<sup>1</sup> Chapter 1206.

to all and every the rights and privileges thereof any law of this commonwealth to the contrary notwithstanding.

And whereas the oath or affirmation by the said recited act of assembly prescribed to be taken and subscribed by the persons therein described contains besides the promise of fidelity and allegiance to this commonwealth, a renunciation and refusal of all allegiance to the King of Great Britain, his heirs and successors and a retrospective clause of uncertain and indefinite meaning:

And whereas divers persons coming within the description of persons intended to be relieved by that act have represented to this house their scruples of taking an oath or affirmation, the meaning whereof is not plain and certain upon the face of it and the government of this commonwealth is now so well established in the minds of the people at large as to render all fears of disaffection thereto groundless and the abjuration of the king of Great Britain is wholly useless as all allegiance from the inhabitants of these United States has been formally and explicitly renounced by the said king and no political connection whatever exists between the said king and the inhabitants of this state:

And whereas many useful citizens are disqualified from serving this commonwealth in several stations by reason of their scruples against taking the said oath or affirmation whereby the public is deprived of their assistance in the various offices of burden as well as of trust and profit which are necessary to be executed for the support of government and it is highly impolitic to deprive the community of their allegiance by adhering to a form the original cause whereof has ceased to operate.

[Section I.] (Section II. 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 from and after the passing of this act the following oath or affirmation be substituted in the place of the oath or affirmation in the said recited act specified, viz:

I, A. B., do swear (or solemnly, sincerely and truly declare

and affirm) that I will be faithful and bear true allegiance to the commonwealth of Pennsylvania as a free and independent state, and that I will not at any time wilfully and knowingly do any act, matter or thing which will be prejudicial or injurious to the freedom or independence thereof.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That all and every persons and person within the description in the said recited act contained who have not taken and subscribed the oath or affirmation therein specified and who shall at any time hereafter take and subscribe the oath or affirmation herein above specified in the manner that the said first mentioned oath or affirmation is directed to be taken and subscribed by the said act be and they are hereby declared to be free citizens of this commonwealth and entitled to all and every the rights and privileges which any citizens by the constitution and laws of this state is entitled unto, any former law or rules of this commonwealth to the contrary in anywise notwithstanding.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the justices of the peace who shall administer the oath or affirmation hereby prescribed shall grant certificates in the same form and keep registers and transmit the same to the recorder of deeds for the proper county and he shall record the same in the same manner and for the same fees as by the said recited act is directed.

Passed March 29, 1789. Recorded L. B. No. 3, p. 233, etc. The Act in the text was repealed by the Act of Assembly passed March 13, 1789, Chapter 1396.

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## CHAPTER MCCXCV.

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AN ACT FOR OPENING AND ESTABLISHING A ROAD BETWEEN THE NAVIGABLE WATERS OF THE FRANKSTOWN BRANCH OF THE RIVER JUNIATA AND THE RIVER CONEMAUGH.

(Section I. P. L.) Whereas an easy communication with the western country of this state presents objects of great importance, a readier and cheaper means of conveying the products