

THE
A C T S
OF THE
GENERAL ASSEMBLY,
OF THE
COMMON-WEALTH
OF
P E N N S Y L V A N I A,

ENACTED into LAWS, since the DECLARA-
TION of INDEPENDENCE on the Fourth Day
of JULY, A. D. 1776.

P H I L A D E L P H I A:

PRINTED BY JOHN DUNLAP.

MDCCLXXIX.

L A W S

ENACTED IN THE SECOND SITTING
OF THE FIRST
GENERAL ASSEMBLY,
OF THE COMMON-WEALTH
OF
P E N N S Y L V A N I A,

Which commenced at Philadelphia, the twelfth day of May One thousand seven hundred and seventy-seven, and continued to the nineteenth day of June in the same year.

CHAPTER XX.

1777.

A SUPPLEMENT to the ACT, intituled, "*An ACT for making the Continental Bills of Credit, and the Bills of Credit emitted by Resolves of the late Assemblies, legal tender; and for other purposes therein mentioned.*"

SECTION. 1. **W**HEREAS, in the Act of General Assembly of the Common-Wealth of Pennsylvania, passed the Twentieth day of January last past, intituled, "*An Act for making the Continental Bills of Credit and the Bills of Credit emitted by the Resolves of the late Assemblies, legal tender; and for other purposes therein mentioned,*" no mention is made, in express words, of bodies politic and corporate; for which reason, it has been construed by some persons that such bodies are not comprehended within the meaning of the said Act: In order therefore, that the said Bills of Credit, and also the Bills of Credit emitted, and to be emitted, by virtue of an Act, intituled, "*An Act for emitting the sum of Two Hundred Thousand Pounds, in Bills of Credit, for the defence of this State; and providing a fund for sinking the same by a Tax on all Estates real and personal and on all Taxables within the same,*" shall be alike taken and made current in all payments by persons, as well in their private as in their politic or corporate capacity:

Preamble.

SECT. 2. *Be it 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 the Bills of Credit declared to be legal tender by the said first recited Act,*

1777.

All Bills of
Credit issued
by the
200,000. Act
to be legal
Tender to bo-
dies politic,
&c.

Act, and also the Bills of Credit emitted, and to be emitted, by virtue of the said last recited Act, shall be legal tender, not only to those persons and creditors therein mentioned, but also to all bodies politic and corporate; which said bodies shall be deemed and taken to be subject, in all respects, to all the fines and forfeitures in the said Acts mentioned, which the persons or creditors therein named are or ought to be subject to, for any offence committed against the above recited Acts, as fully and effectually, to all intents and purposes, as if the said bodies politic or corporate had been expressly named in the said Act.

JOHN BAYARD, SPEAKER.

ENACTED into a Law the 13th day
of June, 1777.

JOHN MORRIS, Junior, Clerk of the General Assembly.

CHAPTER XXI.

An ACT, obliging the male white inhabitants of this State to give assurances of allegiance to the same, and for other purposes therein mentioned.

SECTION. 1. **W**HEREAS by the separation of the Thirteen United States from the government of the Crown and Parliament of Great-Britain (who, by their Acts of oppression and cruelty, as set forth in the Declaration of Independence by Congress, bearing date the fourth day of July, 1776, had rendered such separation, on the part of the said States, absolutely necessary for their own happiness, and the happiness of succeeding generations) the good people of the State of Pennsylvania are become free and independant of the said Crown and Parliament.

SECT. 2. **A**ND WHEREAS from fordid and mercenary motives, or other causes inconsistent with the happiness of a free and independant people, sundry persons have or may yet be induced to withhold their service and allegiance from the Common-Wealth of Pennsylvania as a Free and Independant State, as declared by Congress: **A**ND WHEREAS sundry other persons, in their several capacities, have, at the risk of their lives and the hazard of their fortunes, or both, rendered great and eminent services in defence and support of the said independance, and may yet continue to do the same; and as both those sorts of persons remain at this time mixed, and in some measure undistinguished from each other, the disaffected deriving undeserved service from the faithful and well affected: **A**ND WHEREAS allegiance and protection are reciprocal; and those who will not * bear the former, are not (nor ought not) to be intitled to the benefits of the latter: Therefore, *Be it enacted by the Representatives of the Freemen of the Common-Wealth, of Pennsylvania in General Assembly met, and by the authority of the same,* That all male white inhabitants of this State, (except of the counties of Bedford, Northumberland and Westmoreland) above the age of Eighteen years, shall, on or before the First day of July next, take and subscribe the following oath or affirmation before some one of the Justices of the Peace of the city or county where they shall respectively inhabit; and the inhabitants of the said counties of Bedford, Northumberland and Westmoreland, above the said age, shall, on or before

* Page [37]

Inhabitants to
take the
Oath, &c. of
allegiance be-
fore the first
of July.

the first day of August next, take and subscribe the said oath or affirmation, before some one of the Justices of the said three Counties last mentioned; in which they shall respectively inhabit; and the said Justice shall give a Certificate thereof to every such person; and the said oath or affirmation shall be as followeth, viz.

"I do swear or affirm, that I renounce and refuse all allegiance to George the Third, King of Great-Britain, his heirs and successors; and that I will be faithful and bear true allegiance to the Common-Wealth of Pennsylvania as a free and independent State; and that I will not at any time do, or cause to be done, any matter or thing that will be prejudicial or injurious to the freedom and independance thereof, as declared by Congress; and also that I will discover and make known, to some one Justice of the Peace of the said State, all treasons, or traitorous conspiracies, which I now know or hereafter shall know to be formed against this or any of the United States of America."

The Oath.

And the form of the said Certificate shall be as followeth, viz.

"I do hereby Certify, that _____ hath voluntarily taken and subscribed the oath or affirmation of allegience and fidelity, as directed by an Act of General Assembly of Pennsylvania, passed the thirteenth day of June, A. D. 1777. Witness my hand and seal, the _____ day of _____ A. D. (L. S.)"

The Certificate.

SECT. 3. And be it further enacted by the authority aforesaid, That the Justice or Justices of the Peace, before whom such oath or affirmation shall be subscribed, shall keep fair registers of the names and surnames of the persons so sworn or affirmed, and the time when, and shall, on or before the first day of October in every year, transmit in writing, under his or their hands and seals, to the office of Recorder of Deeds for the said City or County, a true-list of the names and surnames of those who, within the same year, have so sworn or affirmed before them respectively; and the said Justice or Justices shall have and receive therefor, and for the said certificate, the sum of One Shilling, and no more, for every person so sworn or affirmed; and the said Justice or Justices shall lay their accounts before the County Commissioners, or any two of them, from time to time, to be examined and allowed; and the said Commissioners shall draw orders on the County Treasurers for such sums as shall be so allowed which orders the said Treasurers are hereby authorized and required to pay out of the State, taxes; and the Recorders of Deeds, in the City and several Counties of this State, are hereby enjoined to Record the said Lists, in books to be prepared for that purpose, and shall be paid for the same, in the same manner as the Justices, at the rate of Five Shillings for every hundred names.

Justices to keep registers of the names and transmit copies to the Recorders of Deeds, who is to record them.

SECT. 4. And be it further enacted by the authority aforesaid, That every person above the age aforesaid, refusing or neglecting to take and subscribe the said oath or affirmation, shall during the time of such neglect or refusal, be incapable of holding any office or place of trust in this State, serving on juries, suing for any debts, electing or being elected, buying, selling or transferring any lands, tenements or hereditaments, and shall be disarmed by the Lieutenant or Sub-Lieutenants of the city or counties respectively.

Incapacities & penalties on those who neglect or refuse to swear or affirm.

SECT. 5. A N D W H E R E A S there is a danger of having the seeds of discord and disaffection greatly spread by persons, whose politic principles are not known, removing or travelling from one part of the State, to another, and it is well known that this State is already become (and likely to be more so) an asylum for refugees flying from the just resentment of their fellow citizens in

Non-Jurors travelling to be taken up and the Oath, &c. tendered, to be Committed on refusal.

in other States: For remedy whereof, *Be it enacted by the authority aforesaid,* That every person above the age aforesaid, who shall travel out of the county or city in which he usually resides, without the certificate aforesaid, may be suspected to be a spy, and to hold principles inimical to the United States, and shall be taken before one of the Justices nearest to the place where he shall be apprehended, who shall tender to him the said oath or affirmation; and upon his refusal to take and subscribe the said oath or affirmation, the said Justice shall commit him to the common goal of the city or county, there to remain without bail or mainprize until he shall take and subscribe the said oath or affirmation, or produce a certificate that he hath already done so. *

* Page [38]

Travellers
from other
States to take
the Oath, &c.

SECT. 6. *And be it further enacted by the authority aforesaid,* That all persons coming from any of the other United States into this State, are hereby required to apply to one of the nearest Justices after he enters this State, and take and subscribe the said oath or affirmation, upon the penalty of being dealt with as in the case of persons travelling or removing out of the City or County in which they usually reside, unless he can produce a Certificate that he hath taken an oath or affirmation of the like nature in the State from whence he came.

Except Dele-
gates, &c.

SECT. 7. *Provided always nevertheless,* That Delegates in Congress, Prisoners of War, Officers and Soldiers in the Continental Army, Merchants and Mariners trading in the ports of this State, from foreign powers in amity with the United States, and not becoming resident, are declared not to be within the intent and meaning of this Act.

Forgers or
Counterfeit-
ers of Certifi-
cates to be fi-
ned Fifty
Pounds, or
whipped.

SECT. 8. *And be it further enacted,* That if any person shall forge such Certificate, as by this Act is to be made out and given by any one of the Justices of the Peace of this State; or shall cause or procure others to forge or counterfeit the name and seal of the Justice of the Peace to such Certificate, or shall, by erasing or otherwise taking out, or covering or pasting over, a man's name that was wrote in a true and genuine Certificate, alter the same so as to serve his own or any other man's purposes; or shall produce and make use of any such Certificate, knowing it to be forged or altered; every such person and persons so offending, and being thereof legally convicted before any Court of General Quarter Sessions of the Peace of the City or County where such offence shall be committed, shall be fined the Sum of Fifty Pounds, and be committed to Jail, until he pays the Fine and cost of prosecution: And if he shall not, within the space of Thirty days, satisfy the judgment of the Court, he shall be whipped with any number of lashes not exceeding Thirty-nine, on his bare back, well laid on.

JOHN BAYARD, SPEAKER.

Enacted into a Law the Thirteenth day of June,
One Thousand Seven Hundred and Seventy-seven.

JOHN MORRIS, JUNIOR, Clerk of the General Assembly.

CHAPTER XXII.

A SUPPLEMENT to the Act, intituled, "An Act for amending the several Acts for electing Members of Assembly.

Preamble.

SECTION. 1. **W**HEREAS by one of the said Acts, intituled, "An Act to ascertain the number of Members of Assembly, and to regulate the elections," passed in the year of our Lord One Thousand Seven Hundred