

THE
Statutes at Large

OF

PENNSYLVANIA

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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 and also 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 offense 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.

Passed June 13, 1777. See the notes to the Acts of Assembly passed March 5, 1725-26, Chapter 289; January 29, 1777, Chapter 738. Repealed by the Act of Assembly passed June 21, 1781, Chapter 945.

CHAPTER DCCLVI.

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 I, P. L.) Whereas 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 one thousand seven hundred and seventy-six 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 this state of Pennsylvania are become free and independent of the said crown and parliament:

(Section II, P. L.) And whereas from sordid and mercenary motives or other causes inconsistent with the happiness of a free and independent people sundry persons have or may yet be induced to withhold their service and allegiance from the

commonwealth of Pennsylvania as a free and independent state as declared by Congress:

And 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 service in defense and support of the said independence and may yet continue to do the same, 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:

And whereas allegiance and protection are reciprocal, and those who will not bear the former are not nor ought not to be entitled to the benefits of the latter:

Therefore:

[Section I] 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 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 said age shall on or before 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 commonwealth 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 independence 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.

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 allegiance and fidelity as directed by an act of general assembly of Pennsylvania, passed the day of, A. D. 1777. Witness my hand and seal the day of, A. D., (L. S.)

[Section II] (Section III, P. L.) 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 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.

[Section III] (Section IV P. L.) 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 heredita-

ments, and shall be disarmed by the lieutenant or sub-lieutenants of the city or counties respectively.

(Section V, P. L.) And whereas there is a danger of having the seeds of discord and disaffection greatly spread by persons whose political principles are not known removing or traveling 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 other states:

For remedy whereof:

[Section IV] 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 gaol of the city or county, there to remain without bail or mainprize until he shall take and subscribe the oath or affirmation or produce a certificate that he had already done so.

[Section V.] (Section VI, P. L.) And be it 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 traveling or removing out of the city or county in which they usually reside unless he can produce a certificate that he has taken an oath or affirmation of the like nature in the state from whence he came.

(Section VII, P. L.) Provided always nevertheless, That delegates in Congress, prisoners of war, officers and soldiers in the continental army, merchants and marines 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.

[Section VI] (Section VIII, P. L.) 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 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 a 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 written 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 offense shall be committed shall be fined the sum of fifty pounds and be committed to gaol until he pays the fine and costs 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.

Passed June 13, 1777. See the Acts of Assembly passed October 12, 1777, Chapter 765; April 1, 1778, Chapter 796; September 2, 1778, Chapter 807; September 10, 1778, Chapter 813; December 5, 1778, Chapter 822; March 31, 1779, Chapter 836; October 1, 1779, Chapter 852; September 13, 1785, Chapter 1175; March 4, 1786, Chapter 1206; March 29, 1787, Chapter 1294; (repealed by the Act of Assembly passed) March 13, 1789, Chapter 1396.

CHAPTER DCCLVII.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR AMENDING THE SEVERAL ACTS FOR ELECTING MEMBERS OF ASSEMBLY."¹

(Section I, P. L.) Whereas by one of the said acts, entitled "An act to ascertain the number of members of assembly and to regulate the elections,"² passed in the year of our Lord one thou-

¹ Passed March 1, 1745-6, Chapter 364.

² Passed January 12, 1705-6, Chapter 137.