

such person now is bound or engaged for or with the said Walter Davies, nor any lands, goods, chattels or other effects which the said Walter Davies may hereafter have or acquire.

[Section III.] Provided also and be it further enacted by the authority aforesaid, That if the said Walter Davies shall, upon any indictment for taking a false and corrupt oath or affirmation in any matter or thing contained in the said oath or affirmation, be convicted by his own confession or by the verdict of twelve men, the said Walter Davies shall suffer all the pains and penalties which by law may be inflicted on any person convicted of willful and corrupt perjury, and shall likewise be liable to be arrested, taken and imprisoned upon any process *de novo* and charged in execution for the said debt in the same manner as if the said Walter Davies had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed February 2, 1765. Referred for consideration by the King in Council, February 10, 1766, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section VIII.

CHAPTER DXX.

AN ACT FOR THE RELIEF OF JAMES PEARSON, A PRISONER IN THE GAOL OF PHILADELPHIA, WITH RESPECT TO THE IMPRISONMENT OF HIS PERSON.

Whereas James Pearson hath, by petition to the present assembly of this province, set forth that he now is and for seventeen months past hath been confined in the common gaol of Philadelphia county for debt at the suit of Messieurs Edmund Kearney and Thomas Gilbert, of the city of Philadelphia, merchants, for the sum of one hundred and twenty-seven pounds, and also at the suits of Messieurs John Bayard, Buckridge Sims and Andrew Hodge; that the said James Pearson, at the time of his being arrested and at several times since, hath offered to the said Edmund Kearney and Thomas Gilbert all the satisfac-

tion in his power, but not being able to pay their whole debt, the only terms on which they would release him, he has been obliged to remain in confinement, exhausting the little substance he had in support of himself and his wife; that for some time past he has suffered great distress and at present is subsisted by the donations of the humane and charitable; that he now and for three years past has labored under infirmities of body which occasioned his failure, by preventing him from following the seas, to which he had been bred, and therefore prays relief in the premises.

And whereas the several creditors aforesaid of the said James Pearson have signified to the present assembly that they have no objection to the said James Pearson's obtaining the relief prayed for.

Wherefore, to relieve the said James Pearson from the distress of imprisonment and to enable him to carry on business for the payment of his just debts and the maintenance of himself and family, we, the representatives of the freemen of the said province, request the Governor that it may be enacted:

[Section I.] And be it enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That the justices of the county court of common pleas for the county of Philadelphia, or any three of them, shall, on application for that purpose to them in writing made by the said James Pearson, appoint a certain day and place for holding a special court of common pleas, whereof due notice shall be given to the creditor or creditors at whose suit he stands charged, at which time and place the said justices, or any three of them, shall, by an order or rule of the said court, cause the said James Pearson to be brought before them, and the said court shall then and there, in the presence of the said creditor or creditors if he or they will be present, administer to the said

James Pearson an oath or affirmation according to law to the effect following, to wit:

“That the account by him, the said James Pearson, delivered into that honorable court in his petition to the said court doth contain a true and perfect account of all his real and personal estate, debts, credits and effects whatsoever which he or any in trust for him have or at the time of his said petition had, or is, or was in any respect entitled to in possession, remainder or reversion (excepting the wearing apparel and bedding for himself not exceeding ten pounds in value in the whole), and that he has not at any time since his imprisonment or before directly or indirectly sold, leased, assigned or otherwise disposed of or made over in trust for himself or otherwise other than as mentioned in such account any part of his lands, estate, goods, stock, money, debts or other real or personal estate whereby to have or expect any benefit or profit to himself or to defraud any of his creditors to whom he is indebted.”

And the said James Pearson having taken such oath or affirmation in open court and his creditor or creditors being therewith satisfied or failing to discover any effects or estate of the said James Pearson omitted in such his account and the said James Pearson making an assignment to any one or more of his creditors as the court shall direct, in trust for the rest of them of all his lands, goods and effects contained in such account, by a short indorsement on the back of the same account, by which said assignment the estate, interest and property of the lands, goods and effects so assigned shall be vested in the person or persons to whom such assignment shall be made, who may take possession of the same and sue for the same in his or their own name or names, and that no release of the said James Pearson, his executors or administrators, subsequent to such assignment, shall be any discharge or bar to the assignees aforesaid, that then the said court, upon his making such assignment as aforesaid, shall cause and order the said James Pearson to be discharged from his imprisonment aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That the person of the said James Pearson after such his discharge as aforesaid shall not at any time hereafter be imprisoned for any debts by him before that time contracted.

Provided nevertheless, That the discharge of the said James

Pearson, by virtue of this act, shall not acquit or discharge any other person from such debt, sum or sums of money for which such person now is bound or engaged for or with the said James Pearson nor any lands, goods, chattels or other effects which the said James Pearson may hereafter have or acquire.

[Section III.] Provided also and be it further enacted by the authority aforesaid, That if the said James Pearson shall, upon any indictment for taking a false and corrupt oath or affirmation in any matter or thing contained in the said oath or affirmation, be convicted by his own confession or by the verdict of twelve men, the said James Pearson shall suffer all the pains and penalties which may by law be inflicted on any person convicted of willful and corrupt perjury, and shall likewise be liable to be arrested, taken and imprisoned upon any [process] *de novo* and charged in execution for the said debt in the same manner as if the said James Pearson had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed February 2, 1765. Referred for consideration by the King in Council, February 10, 1766, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section VIII.

CHAPTER DXXI.

AN ACT THE BETTER TO ENABLE THE PERSONS THEREIN NAMED TO HOLD LANDS AND TO INVEST THEM WITH THE PRIVILEGES OF NATURAL BORN SUBJECTS OF THIS PROVINCE.

Whereas George Hitner, the younger, of the city of Philadelphia, saddler, William Harman, of the same city, baker, and Philip Bush, of Blockley township, in the county of Philadelphia, innholder, being Protestants and born out of the allegiance of His Majesty King George the Third, and subjects of some princes in Germany in amity with the Crown of Great Britain, have humbly applied to the representatives of the freemen of this province in General Assembly met, setting forth their being