

this act, then, and in every such case, he or they so offending shall forfeit the sum of two hundred pounds, to be recovered in any court of record in this province; and the one-half thereof shall go to the governor for support of government, and the other half to him or them that shall sue for the same.

Passed January 12, 1705-6. Allowed to become a law by lapse of time in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Acts of Assembly passed June 7, 1712, Chapter 187; March 27, 1712-13, Chapter 197; March 23, 1764, Chapter 512; the Constitution of 1776; the Acts of Assembly passed March 14, 1777, Chapter 748; August 31, 1778, Chapter 804; Constitution of 1790; the Acts of Assembly passed April 6, 1791, Chapter 1547; April 13, 1791, Chapter 1575; September 30, 1791, Chapter 1601; March 31, 1792, Chapter 1618; April 19, 1794, Chapter 1751; April 1, 1797, Chapter 1946; April 4, 1797, Chapter 1949; March 20, 1799, Chapter 2032; March 12, 1800, Chapter 2131; April 7, 1807, P. L. 155; March 26, 1808, P. L. 144; March 15, 1832, P. L. 135; April 8, 1833, P. L. 249, and April 22, 1856, P. L. 532.

CHAPTER CXXXIV.

AN ACT DIRECTING THE ORDER OF PAYMENT OF DEBTS OF PERSONS DECEASED.

For preventing disputes and contests at law, or otherwise concerning the order of payment of debts of persons deceased within this province:

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That all debts owing by any person within this province at the time of his or her decease, shall be paid by his or her executors or administrators (so far as they have assets) in manner and order following: (That is to say) first, physick and funeral expenses; secondly, debts and duties [due] to the Queen; thirdly, debts due to the proprietary and governor; fourthly, judgments; fifthly, debts due by recognizances; sixthly, rents; seventhly,

obligations, bills penal, and protested bills of exchange; eighthly, single bills; ninthly, servants' and workmen's wages; tenthly, merchants and traders' book-debts, and promises by word, arrears of accounts, and such like. Which said payments shall be good and available in law against all persons whatsoever.

[Section II.] Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall prevent or damnify any executor or administrator for discharging the decedent's just debts, as the same shall come to his, her or their knowledge, without regard to the priority of the same in payment, after the expiration of twelve months from the time of the said decedent's decease.

Passed January 12, 1705-6. Allowed to become a law by lapse of time in accordance with the proprietary charter, having been considered by the Queen in Council, October 24, 1709, and not acted upon. See Appendix II, Section III, and the Act of Assembly passed April 19, 1794, Chapter 1751.

CHAPTER CXXXV.

AN ACT FOR THE BETTER SETTling OF INTESTATES' ESTATES.

[Section I.] Be it enacted by John Evans, Esquire, by the Queen's royal approbation Lieutenant-Governor under William Penn, Esquire, absolute Proprietary and Governor-in-Chief of the Province of Pennsylvania and Territories, by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the register-general and his deputies, having power to grant letters of administration of the goods and chattels of persons dying intestate within this province, shall upon their granting of such letters of administration, take sufficient bonds, with two or more able sureties (respect being had to the value of the estate) in the name of the register-general, with the conditions in manner and form following, *mutatis mutandis*, viz.,