

executions like to be taken out against the principal debtors and their sureties to the great damage if not ruin of some before they can possibly convert their estates into such specie as may satisfy their creditors. For prevention whereof, may it please the governor that it may be enacted:

[Section I.] And be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., 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 no execution or executions shall be issued forth before the twenty-fifth day of June, which will be in the year of our Lord one thousand seven hundred and twenty-three, upon any judgment or judgments obtained or to be obtained and rendered against any person or persons whatsoever for any debt, damages or costs. And where any writ or writs of execution have been heretofore awarded and issued forth against the bodies of any that have given special bail to the actions whereon those writs are founded, or are owners of land in fee-simple within this province, to the value of the debts or damages contained in such writs, and are ready and willing to sell or mortgage the same for payment thereof, the sheriffs and other officers to whom such writs were or are directed, shall, from and after the publication of this act, forbear. And they are hereby required to forbear and stop the serving or executing thereof until the same be again renewed. And for so doing the said sheriffs and officers are hereby indemnified and shall be excused and for ever acquitted by the courts of judicature where they may be sued or questioned for not returning such writs executed.

[Section II.] And be it further enacted by the authority aforesaid, That from and after the said publication of this act all executions whatsoever shall stay and by proper entries (upon record where the respective judgments which warrant the same are or ought to be entered) shall be respited until the said twenty-fifth day of June next ensuing, and that then or at any time afterwards the respective courts shall issue forth such executions upon the said judgments as the law directs in the like cases. And that all the said judgments upon which executions are to be stayed as aforesaid shall have relation to the days and times when the same were respectively entered,

Provided always, That the overplus of the said debtors' estates (if any be), after all their debts and lawful charges are deducted, shall be returned to such debtors, their executors or administrators, anything herein contained to the contrary notwithstanding.

[Section V.] Provided also, That nothing in this act contained shall be deemed to repeal or disannul anything in the law entitled "An act about attachments under forty shillings,"¹ anything herein to the contrary notwithstanding.

[Section VI.] Provided always, That nothing in this act contained shall be construed, deemed or taken to exempt the goods or effects of any person or persons, not inhabitants of this province, from being attached according to the directions of an act of General Assembly of this province, made in the fourth year of the late Queen Anne, entitled "An act about attachments," anything in this or any other act contained to the contrary hereof in anywise notwithstanding.

Passed March 2, 1722-23. Allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix VI, Section I, and the Acts of Assembly passed January 22, 1774, Chapter 693; September 23, 1739, Chapter 1445, supplied and repealed by the two Acts of Assembly passed June 13, 1836, P. L. 580 and 606.

CHAPTER CCLXIV.

AN ACT FOR RESPITING EXECUTIONS UPON CERTAIN JUDGMENTS OF COURTS IN THIS PROVINCE.

Whereas through the scarcity of money and that the paper currency intended to be emitted necessarily requiring a longer time for the settling of it have put a damp upon public credit and embarrassed the affairs and commerce of this province, so that divers [persons] endeavoring to get in their effects to answer their necessary occasions were obliged to sue their debtors, who, having demands upon others, took the like measures with them, so that law-suits are exceedingly multiplied and

¹ Passed October 28, 1701, Chapter 108.

and shall, notwithstanding this act, bind the estates of the defendants therein named, their heirs, executors and assigns, as effectual and in like manner as the same would have done before the making of this act.

Provided always, That nothing herein contained shall be deemed, adjudged or taken to annul or invalidate any judgments, rendered or to be rendered, in any case whatsoever, or to discharge or avoid any bail given or bail-piece entered into or recognizance of bail acknowledged in any action or cause whatsoever. But that all and every of them shall remain in the same force and have the like effect as if this act had not been made.

Provided also, That notwithstanding this act, it shall and may be lawful for any of the defendants in the abovesaid judgments to render their bodies to prison in discharge of their bail, as is usual in such cases.

Provided always, That where judgment is obtained upon summons and no bail or other security has been given, the defendant in such action shall, on demand of the plaintiff or his attorney, be obliged to give special bail, or otherwise an execution may issue against the said defendant, anything in this act to the contrary notwithstanding.

Passed March 2, 1722-23. Allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix VI, Section I, and the Acts of Assembly passed March 12, 1783, Chapter 1008; December 23, 1784, Chapter 1123.

CHAPTER CCLXV.

AN ACT FOR VESTING THE LANDS AND LOTS COMMONLY CALLED THE LANDS OF THE FREE SOCIETY OF TRADERS IN PENNSYLVANIA, IN TRUSTEES, TO BE SOLD FOR THE PAYMENT OF SUCH SUMS OF MONEY AS WERE PAID INTO THE PUBLIC STOCK OF THE SAID SOCIETY FOR PURCHASING THE SAID LANDS AND LOTS, AND CARRYING ON THE TRADE DESIGNED BY THE SAID SOCIETY.

Whereas it appears to the present House of Representatives of the freemen of this province in General Assembly met, that William Penn, Esquire, late Proprietor of the Province of Penn-