

longing, which sums shall be paid by the treasurer aforesaid to the church-wardens of the said church, whose receipts shall be a discharge for the sum by them received.

[Section XII.] And be it further enacted by the authority aforesaid, That the said managers shall lay their accounts of moneys received for the tickets aforesaid directed by them to be sold and of the moneys paid by them to the treasurer aforesaid; and the said treasurer shall lay his accounts of the moneys received by him of the said managers and paid to the said church-wardens; and the said church-wardens shall lay their accounts of the moneys respectively received of the treasurer and disbursed by them to and for the purposes hereinbefore mentioned, before any three justices of the court of quarter sessions of the peace for the said county of Lancaster, to be by them examined and adjusted.

Provided always, that the said lottery be erected and drawn within two years from the publication hereof.

[Section XIII.] And be it further enacted by the authority aforesaid, That the said treasurer shall and may from time to time, as occasion may happen, bring actions in his own name against any person or persons indebted to the managers aforesaid, or either of them, for the sale of tickets, or against any other persons concerned in the execution of this act for any breach of trust therein.

Passed May 20, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II.

CHAPTER DLXVI.

AN ACT FOR THE RELIEF OF THOMAS COTTERELL GROVE, FREDERICK PEPLER, SAMUEL WATTS, AZARIAH VAUN, THOMAS MULLAN, MATTHEW WARBURTON, JAMES MARTIN AND THOMAS LEMON, LANGUISHING PRISONERS IN THE GAOLS OF PHILADELPHIA, CHESTER AND LANCASTER, WITH RESPECT TO THE IMPRISONMENT OF THEIR PERSONS.

Whereas it hath been represented to the assembly by the several petitions of Thomas Cotterell Grove, Frederick Pepler,

Samuel Watts, Azariah Vaun, Thomas Mullan, Matthew Warburton, James Martin and Thomas Lemon that they are languishing prisoners in the gaols of Philadelphia, Chester and Lancaster respectively, and that although they are willing to assign over all their respective effects to the use of their creditors for the payment of their debts, and to discharge such as shall thereafter remain unpaid as soon as by their industry they can find means of satisfying such creditors, yet by their imprisonment they are disabled from putting in execution their just intentions and are reduced to great distress:

[Section I.] Be it therefore 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 [upon application of the said Thomas Cotterell Grove, Frederick Pepler, Samuel Watts, Azariah Vaun, Thomas Mullan and Matthew Warburton], and the justices of the county court of common pleas for the county of Chester, or any three of them, on the application of the said James Martin, and the justices of the county court of common pleas of the county of Lancaster, or any three of them, on the application of Thomas Lemon, shall 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 suits they respectively stand charged, by leaving the same in writing at his, her or their last place of abode, at which time and place the said justices respectively, or any three of them, shall, by an order or rule of the said courts respectively, cause the said prisoners, Thomas Cotterell Grove, Frederick Pepler, Samuel Watts, Azariah Vaun, Thomas Mullan, Matthew Warburton, James Martin and Thomas Lemon, severally, to be brought before them; and the said courts respectively shall then and there, in the presence of the said creditor or creditors, if he or they will be present, administer to the said prisoners,

Thomas Cotterell Grove, Frederick Pepler, Samuel Watts, Azariah Vaun, Thomas Mullan, Matthew Warburton, James Martin and Thomas Lemon, separately, an oath or affirmation according to law to the following effect, to wit:

“That the account by him 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, [and] 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 and family, 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 is 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 family, or to defraud any of his creditors to whom he is indebted.”

And each of the said prisoners having severally taken such oath or affirmation in open court, and their several creditors being therewith satisfied or failing to discover any effects or estate belonging to such deponent omitted in his said account, and the said prisoners severally making assignments to any one or more of the creditors as the court shall order and direct in trust for him or them and the rest of them of all his lands, goods and effects contained in such account by a short indorsement thereon, 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 in his or their own name or names; and that no release of the said prisoners, or any of them, their executors or administrators respectively, subsequent to such assignment, shall be any discharge against or bar to the assignees aforesaid, that then the said court, upon the making such assignment as aforesaid, shall cause and order the said prisoners respectively to be discharged from their imprisonment aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That the persons of the said several prisoners respectively

after such his or their discharge as aforesaid shall not at any time hereafter be imprisoned for any debts before the time of their discharge contracted.

Provided nevertheless, That the discharge of the said prisoners 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 with the said prisoners, or any of them, nor any lands, goods, chattels or other effects which they or any of them may hereafter acquire.

[Section III.] Provided also, and be it further enacted by the authority aforesaid, That if any or either of the said prisoners 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 persons so convicted 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 prisoners respectively had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed March 20, 1767. Referred for consideration by the King in Council, December 17, 1767, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVI, Section II.

CHAPTER DLXVII.

AN ACT TO ENABLE THE MANAGERS OF THE CONTRIBUTIONS FOR THE RELIEF AND EMPLOYMENT OF THE POOR IN THE CITY OF PHILADELPHIA TO BORROW THE FURTHER SUM OF THREE THOUSAND POUNDS.

Whereas by the act of general assembly of this province, entitled "An act for amending the act, entitled 'An act for the better employment, relief and support of the poor within the city of