

they do not exceed five pounds as debts not exceeding five pounds are usually recovered; and if above five pounds shall be sued for and recovered by bill, plaint or information in any court of record within this province, wherein no essoin, protection or wager of law nor any more than one imparlance shall be allowed.

Passed December 24, 1774. Referred for consideration by the King in Council, July 21, 1775, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXXII, and the Acts of Assembly passed March 5, 1787, Chapter 1265; April 20, 1795, Chapter 1863; March 19, 1810, P. L. 128; February 25, 1818, P. L. 111; March 27, 1821, P. L. 133; April 15, 1835, P. L. 384; March 27, 1860, P. L. 287; March 31, 1860, P. L. 427; April 13, 1868, P. L. 93; June 2, 1871, P. L. 288; the Constitution of 1874, Article III, Section 27.

CHAPTER DCCIV.

AN ACT FOR THE RELIEF OF JOHN BURROWS, A LANGUISHING PRISONER IN THE GAOL OF PHILADELPHIA COUNTY, AND WILLIAM WATERS, A LANGUISHING PRISONER IN THE GAOL OF BUCKS COUNTY, WITH RESPECT TO THE IMPRISONMENT OF THEIR PERSONS.

Whereas it has been represented to the assembly of this province by the petitions of John Burrows, a languishing prisoner in the gaol of Philadelphia county, and William Waters, a languishing prisoner in the gaol of Bucks county, that although they are willing to assign over all their respective effects to the use of their respective creditors for the payment of their respective 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, Governor and Commander in Chief of the Province of Pennsylvania, by and with the consent and advice 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 on application to them made in writing for that purpose by the said John Burrows, and that the justices of the court of common pleas for the county of Bucks or any three of them shall on application for that purpose to them in writing made by the said William Waters, appoint a certain day and place for holding a special court of common pleas in their respective counties, whereof due notice shall be given to the creditor or creditors or their attorneys in fact, respectively, at whose suit they stand respectively charged, and all other his or their creditors, respectively, that can be known to the court, by leaving the same in writing at his, her or their last place of abode, at which times and places so appointed by the said courts, respectively, the said respective courts shall by an order or rule of court cause the said John Burrows and William Waters, respectively, 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 John Burrows and William Waters, respectively, 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, 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 (except 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 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 family or to defraud any of his creditors to whom he is indebted.

And the said John Burrows and William Waters, respectively, having taken such oath or affirmation in open court, and his creditors failing to discover effects or estate belonging to

such deponents omitted in his or their said accounts, and the said John Burrows and William Waters, respectively, making an assignment to any one or more of his creditors as the court shall direct in trust for all his said creditors 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 own name or names, after which no release of the said John Burrows or William Waters, respectively, his executors or administrators, shall be any discharge against or bar to the assignees aforesaid, then the said court shall order the said John Burrows and William Waters, respectively, to be discharged from his imprisonment aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That the persons of the said John Burrows and William Waters, respectively, after such his [*sic*] discharge as aforesaid shall not at any time hereafter be imprisoned for any debts contracted before [the] time of such discharge.

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, respectively, nor any lands, goods, chattels or effects which the said John Burrows and William Waters, respectively, may hereafter acquire.

[Section III.] Provided also, and be it further enacted by the authority aforesaid, That nothing in this act contained shall extend to discharge the person of the said prisoners, respectively, from imprisonment or being liable to be sued, prosecuted or imprisoned for any debt due to the crown, and that the said debts shall be first paid by the said assignees out of the moneys, if sufficient, which shall come to their hands from the effects so assigned, [nor for any debt due to any distant or absent creditor to whom notice shall not have been given pursuant to the directions of this act.]

[Section IV.] Provided also, and be it further enacted by

the authority aforesaid, That if the said John Burrows and William Waters, respectively, 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 of his own confession or by the verdict of twelve men, he shall suffer all the pains, penalties and disabilities which by law may be inflicted on persons 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 same debt in the same manner as if he had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed December 24, 1774. Referred for consideration by the King in Council, July 21, 1775, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXXII.

CHAPTER DCCV.

AN ACT TO SUPPRESS THE DISORDERLY PRACTICE OF FIRING GUNS, &c., ON THE TIMES THEREIN MENTIONED.¹

Whereas a disorderly practice prevails in many parts of this province of firing guns at or near New Year's Day, which is frequently attended with much mischief and greatly disturbs the public peace:

For remedy whereof for the future:

[Section I.] Be it enacted by the Honorable John Penn, Esquire, Governor and Commander in Chief of the Province of Pennsylvania, by and with the consent and advice of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That if after the publication of this act any person or persons shall on any thirty-first day of December or first or second day of January in every

¹ The original roll of this act is missing; and therefore it has been compared with the copy in the Act Books.