

penses by them laid out and expended in execution of their said trust or any matter or thing thereunto relating.

Passed March 23, 1776. Probably not submitted to the Crown for action. See Appendix XXXIII.

CHAPTER DCCXXVI.

AN ACT FOR THE RELIEF OF ALEXANDER STEWART, A PRISONER FOR DEBT IN THE GAOL OF PHILADELPHIA COUNTY, WITH RESPECT TO THE IMPRISONMENT OF HIS PERSON.

Whereas it has been represented to the assembly of this province by the petition of Alexander Stewart, late of the Kingdom of Ireland, a prisoner in the gaol of this city and county, that he is entitled to a very considerable estate in the said Kingdom of Ireland which he is willing to assign over for the payment of his just debts to his creditors, and that the said creditors are desirous of his being released on such assignment, reserving to himself the sum of one hundred pounds per annum for his support and maintenance:

[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 Alexander Stewart, shall appoint a certain day and place for holding a special court of common pleas in the said county, whereof due notice shall be given to the creditor or creditors, or their attorneys in fact, respectively, at whose suit he stands charged, and all other his creditors that can be known to the court, by leaving the same in writing at his, her or their last place of abode, at which time and place so appointed by the said court the said court shall by an order or rule of court cause the said Alexander Stewart 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 Alexander Stewart 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, 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 Alexander Stewart, having taken such oath or affirmation in open court and his creditors failing to discover any effects or estate belonging to such deponent omitted in his said account, and the said Alexander Stewart 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, reserving to him the said Alexander Stewart the sum of one hundred pounds lawful money of Pennsylvania per annum, 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 until the whole debts due by the said Alexander Stewart mentioned in such account shall be fully paid and discharged, who may take possession of the same in his or their own name or names, after which no release of the said Alexander Stewart, his executors or administrators, shall be any discharge against or bar to the assignees aforesaid, then the said court shall order the said Alexander Stewart to be discharged from his imprisonment aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That the person of the said Alexander Stewart after such

his 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 prisoner 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 is now bound or engaged with the said prisoner, nor any lands, goods, chattels or effects which the said Alexander Stewart 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 prisoner 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 and estate 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 Alexander Stewart 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, 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 April 6, 1776. Probably not submitted to the Crown for action. See Appendix XXXIII.