

the authority aforesaid, That this ordinance shall continue in force until the end of the first session of the future legislature of this state or until altered or repealed by the same or by this convention.

Passed September 12, 1776. See Appendix XXXV, and the Act of Assembly passed September 16, 1777, Chapter 762. Expired. The ordinance in the text was declared not to be obligatory, by Resolution of Assembly passed September 26, 1776. (Votes of Assembly, Vol. VI, p. 764.)

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#### CHAPTER DCCXXXIV.

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##### AN ORDINANCE TO COMPEL DEBTORS IN CERTAIN CASES TO GIVE SECURITY TO THEIR CREDITORS.

Whereas at this time when the courts of justice in this state are shut, it is absolutely necessary that honest creditors should be made secure, when it shall appear that otherwise they might by dishonest debtors taking advantage of the times, run the risk of losing their just debts:

[Section I.] Be it therefore ordained and declared by the Representatives of the Freemen of the State of Pennsylvania in General Convention met, That where complaint by oath or affirmation by the complainant or some person for him shall be made to any justice of the peace for this state that any person or persons residing within the city or county where such justice hath jurisdiction is justly indebted to the complainant in any sum not exceeding five pounds, and that such debtor is about to depart this state with design to defraud his creditors as is believed, and that such debtor, being of sufficient ability in the judgment of the said justice on full examination had, refuses to pay or give reasonable security in the nature of a special bail for the same to abide the judgment of such person or persons as shall hereafter be empowered to judge and determine the matter in controversy, it shall and may be lawful for such justice to issue either a summons or *capias* as the case may require, directed to the proper constable, requiring him to cause the de-

defendant to come before such justice, and the said justice shall order the said defendant to give reasonable bail as the nature of the case may require, and if such defendant shall neglect or refuse to give such bail then the said justice is hereby empowered to commit such defendant to the gaol of the said city or county, and the keeper thereof is hereby required there to keep him safely until he shall give such bail or be otherwise lawfully discharged. And if any such person or persons shall be indebted to any one or more person or persons in a sum exceeding five pounds then on the like complaint on oath or affirmation being made to two justices of the city or proper county they shall proceed in manner as before mentioned and directed in cases not exceeding five pounds.

Passed September 13, 1776. See Appendix XXXV, and the note to the Act of Assembly passed March 7, 1745-46, Chapter 365; and the Acts of Assembly passed October 9, 1779, Chapter 862; September 23, 1784, Chapter 1116; April 5, 1785; Chapter 1160; March 11, 1789, Chapter 1394; April 19, 1794, Chapter 1754; April 4, 1798; Chapter 1995; March 1, 1799, Chapter 2023; February 26, 1801, Chapter 2202; January 2, 1804, P. L. 3; March 28, 1804, P. L. 383; March 25, 1805, P. L. 117; April 9, 1807, P. L. 281; April 4, 1809, P. L. 176; March 20, 1810, P. L. 208; March 28, 1820, P. L. 156; April 4, 1831, P. L. 458; April 9, 1833, P. L. 480; April 15, 1835, P. L. 290; June 16, 1836, P. L. 809; March 19, 1838, P. L. 126; February 27, 1845; P. L. 72; April 15, 1845, P. L. 459; March 13, 1847, P. L. 301; March 11, 1850, P. L. 159; March 29, 1851, P. L. 272; April 26, 1855, P. L. 304; February 8, 1869, P. L. 208; February 25, 1870, P. L. 254; March 28, 1870, P. L. 596; April 6, 1870, P. L. 987; February 18, 1870, P. L. 188; February 29, 1872, P. L. 190; the Constitution of 1874, Article III, section 8; July 7, 1879, P. L. 194; May 13, 1889, P. L. 113; May 29, 1893, P. L. 176.

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## CHAPTER DCCXXXV.

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### AN ORDINANCE FOR RENDERING THE BURDEN OF ASSOCIATORS AND NON-ASSOCIATORS IN THE DEFENSE OF THIS STATE AS NEARLY EQUAL AS MAY BE.

Whereas the associators of this state have bestowed much of their time and been at a considerable expense in qualifying themselves for the defense of their country and are now gone