

of Philadelphia, and to extend the said act to the adjoining township of Bristol, in the same county, and to prevent swine from running at large within the said townships for a limited time, hath been found a necessary and beneficial law for the landholders and inhabitants of the said district:

And whereas the said act has expired by its own limitation:

[Section I.] (Section II, P. L.) Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That from and after the passing of this act the said revised act and every clause, matter and thing therein contained, the clause of limitation and the fourth section directing the penalty only excepted, shall be and is hereby revived as fully as if the same was herein particularly recited, and shall continue until the first day of November next, and no longer.

[Section II.] (Section III, P. L.) Provided always, and be it further enacted by the authority aforesaid, That instead of the penalty of ten pounds by the said act directed to be levied for every beast suffered to run at large contrary to the directions thereof, there shall be levied for and during the continuance of this act the sum of twenty shillings.

Passed April 2, 1781. Recorded L. B. No. 1, p. 421, etc. See the Acts of Assembly passed April 5, 1779, Chapter 840; March 13, 1780, Chapter 892.

CHAPTER CMXXXV.

AN ACT DIRECTING THE MODE OF ADJUSTING AND SETTLING THE PAYMENT OF DEBTS AND CONTRACTS ENTERED INTO AND MADE BETWEEN THE FIRST DAY OF JANUARY, ONE THOUSAND SEVEN HUNDRED AND SEVENTY-SEVEN, AND THE FIRST DAY OF MARCH, ONE THOUSAND SEVEN HUNDRED AND EIGHTY-ONE, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas, the good people of this state labor under many inconveniences for want of some rule whereby to settle and adjust the payment of debts and contracts entered

into and made between the first day of January, one thousand seven hundred and seventy-seven, and the first day of March, one thousand seven hundred and eighty-one, many of which are yet due and unsatisfied, and it seems just and reasonable that some rule should be by law established for liquidating and adjusting the same so as to do justice as well to the debtors as creditors:

[Section I.] (Section II, P. L.) Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That from and after the passing of this act all debts and contracts of what nature or kind soever entered into or made within the period aforesaid now remaining due and unfulfilled for the payment of money, shall be liquidated, settled and adjusted agreeable to a scale of depreciation hereinafter mentioned and contained: That is to say, by reducing the amount of all such debts and contracts to the true value in specie at the days or times the same were incurred or entered into; and, upon payment of the said value so found in specie or other money equivalent, the debtors or contractors shall be forever discharged of and from the said debts or contracts, any law, custom or usage to the contrary in anywise notwithstanding.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the proviso clause in the suspension act of the thirty-first day of May, one thousand seven hundred and eighty, continued by a supplement of the twenty-second day of September, one thousand seven hundred and eighty, and also the proviso clause of the suspension act of the twentieth day of February, one thousand seven hundred and eighty-one, so far as the same takes off or restrains the enacting clause in the said laws in case of payment of any debt or demand whereupon any distress may be made or upon which any action or suit shall be commenced in any court of law within this state shall be and the same are hereby repealed, anything in the said proviso clauses to the contrary notwithstanding.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That in all cases between debtors

and creditors for debts or demands due and payable or incurred on or before the first day of March, one thousand seven hundred and eighty-one, where the parties cannot otherwise agree, it shall and may be lawful for any court of law and for any justice of the peace (in cases of debts and demands cognizable before one justice of the peace), upon the prayer of either party, to appoint three or more auditors in presence of the parties if they will, upon reasonable notice attend, otherwise upon proof of such notice to the court or justice to appoint the said auditors, *ex parte*, in manner following, to wit: By naming a treble number and each of the parties to strike out one alternately until the number to be appointed only remain in nomination, and in case of non-attendance of either party, the clerk of such court or the justice of the peace to strike for the absent party; which auditors so appointed shall have full power and authority, upon notice to the parties, to meet, hear and examine the parties upon interrogatories and also such witnesses, papers and proof of the parties, as shall be to them adduced, and thereupon liquidate, adjust and settle all debts or demands and other controversies subsisting between the parties agreeable to the directions of this act where that can be done, but in cases where the act shall not apply, then to settle and adjust the same according to equity and good conscience upon due consideration had of the nature and circumstances of the case, but the said auditors shall not have any power or authority, in cases where partial payments have been made in money then current to reduce such payment. And the said auditors, where any tender has been made before the first day of March, one thousand seven hundred and eighty-one, in money current, shall not allow the creditor more than the value of his debt reduced to specie, at the time when such tender was made; and where it shall appear to the said auditors that any debtor who had willingly received bills of credit made current in payment of his debts, and was also prepared and ready to pay the sum due by him in such money, but was prevented by the creditor absconding, concealing his bonds or papers or secretly assigning them or such like evasions, in all such cases the debtor shall have the benefit of a legal tender;

and the said auditors, upon settling and adjusting all such debts or demands, shall make report to the court or justice, as the case may require, which report shall be of the same force and effect as a verdict of a jury in the case, and the court or justice shall enter judgment on such report.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the following scale of depreciation shall be the rule to determine the value of the several debts, contracts and demands in this act mentioned, compared with silver and gold:

One Thousand Seven Hundred Seventy-seven.

January, one and a half.
February, one and a half.
March, two.
April, two and a half.
May, two and a half.
June, two and a half.
July, three.
August, three.
September, three.
October, three.
November, three.
December, four.

One Thousand Seven Hundred Seventy-eight.

January, four.
February, five.
March, five.
April, six.
May, five.
June, four.
July, four.
August, five.
September, five.
October, five.
November, six.
December, six.

One Thousand Seven Hundred and Seventy-nine.

January, eight.
 February, ten.
 March, ten and an half.
 April, seventeen.
 May, twenty-four.
 June, twenty.
 July, nineteen.
 August, twenty.
 September, twenty-four.
 October, thirty.
 November, thirty-eight and an half.
 December, forty-one and an half.

One Thousand Seven Hundred and Eighty.

January, forty and an half.
 February, forty-seven and an half.
 March, sixty-one and an half.
 April, sixty-one and an half.
 May, fifty-nine.
 June, sixty-one and an half.
 July, sixty-four and an half.
 August, seventy.
 September, seventy-two.
 October, seventy-three.
 November, seventy-four.
 December, seventy-five.

One Thousand Seven Hundred and Eighty-one.

January, seventy-five.
 February, seventy-five.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the act, entitled "A supplement to an act for the more easy recovery of small debts,"¹ passed on the ninth day of October, one thousand seven hundred and seventy-nine, be and the same is hereby repealed and made void.

[Section VI.] (Section VII, P. L.) And be it further enacted

¹ Passed October 9, 1779, Chapter 862.

by the authority aforesaid, That the act, entitled "An act for limitation of actions,"¹ passed the twenty-seventh day of March, one thousand seven hundred and thirteen, shall not run or operate during the time courts of justice were shut in this state, nor during the time of any suspension act of this state in any action or distress prohibited to be made or brought by such act, under the penalty of taking depreciated money in full payment.

Passed April 3, 1781. Recorded L. B. No. 1, p. 422, etc. See the Acts of Assembly passed February 20, 1781, Chapter 927; June 21, 1781, Chapter 945.

CHAPTER CMXXXVI.

AN ACT TO PREVENT THE EXPORTATION OF BREAD AND FLOUR NOT MERCHANTABLE, AND FOR REPEALING AT A CERTAIN TIME ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE.

(Section I, P. L.) Whereas, the regulations hitherto made for the inspection of bread and flour have not been quite effectual and a variety of laws on the same subject tend to mislead the people:

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the act, entitled "An act to prevent the exportation of bread and flour not merchantable,"² passed the fourteenth day of October, one thousand seven hundred and thirty-three (excepting that part of it which repeals the act therein mentioned and called an act to prevent the exportation of bread and flour not merchantable), and the act, entitled "A supplement to the act, entitled 'An act to prevent the exportation of bread and flour not merchantable, and to the act which is an amendment thereof,'"³ passed on the sixth [sic] [ninth] day of October, one thousand seven hun-

¹ Passed March 27, 1713, Chapter 196.

² Passed October 17, 1733, Chapter 332.

³ Passed October 9, 1779, Chapter 855.