

within this state for the space of two years next before his, her or their imprisonment.

[Section IV.] (Section VI, P. L.) And be it further provided and enacted by the authority aforesaid, That after either or all of the said prisoners confined as aforesaid shall have surrendered all his, her or their property both real and personal for the use of his, her or their respective creditors, and adducing to the court sufficient proof that no fraud or embezzlement hath been committed by them or either of them, it shall not be lawful for the court so discharging him, her or them, to remand to gaol him, her or them although the creditor or creditors of him, her or them so discharged shall desire the same, and offer to give security to pay such weekly allowance to the said debtor or debtors or any of them as the respective courts shall assess.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the same courts shall and may grant relief unto all persons confined as aforesaid, for debt (other than for fines and forfeitures for crimes and misdemeanors) due to the commonwealth or for rent due from them to their respective lessors or landlords in the same manner and form as aforesaid, any law to the contrary notwithstanding.

Passed March 30, 1785. Recorded L. B. No. 2, p. 489. See the Act of Assembly passed April 14, 1729-30, Chapter 315.

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## CHAPTER MCXLIX.

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AN ACT FOR THE RELIEF OF SUCH PERSONS AS HAVE DEBTS DUE TO THEM FROM THE ESTATES OF PERSONS ATTAINTED OF TREASON AND CONFISCATED IN THE LATE WAR, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas by an act of the Legislature of this commonwealth passed the first day of April, one thousand seven hundred and eighty-four, it was directed that certificates should be issued for balances due by the state to the citizens thereof upon accounts settled by the comptroller-general:

And whereas the claims due from the estates which have been forfeited to this commonwealth by persons attainted of treason, are directed to be ascertained and decreed by the justices of the supreme court:

And whereas it is just and reasonable that equal assurances should be given by the state for payment of these debts as for those which are comprehended in the act first mentioned:

Therefore:

[Section I.] (Section II, P. L.) Be it 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 comptroller-general of this state shall and he is hereby authorized to issue certificates for all claims against forfeited estates decreed by the justices of the supreme court according to law of like kind and in the same manner as certificates are directed to be issued by the aforesaid act of April the first, one thousand seven hundred and eighty-four, and that the interest upon all such claims as are decreed with interest shall be calculated by him upon the principal sums to the first day of July, one thousand seven hundred and eighty-three, at which period the interest commences upon the certificates to be granted, and the same consolidated with the principal aforesaid, likewise that in all cases where bonds or other claims shall not have been decreed to become due with interest until some time posterior to the date last herein mentioned, the interest shall be calculated upon and discounted from such debts, from and after the said first day of July, one thousand seven hundred and eighty-three,

(Section III, P. L.) Provided always, That no certificate shall be granted in favor of the creditors of any person or persons whose estate or estates have been confiscated to a larger or greater amount than the specie value of the net proceeds of the sales of such estates which the comptroller-general is hereby directed to ascertain before any such certificates shall issue, and in all cases where the demands upon any estate exceed such ascertained value he shall lay the same before the judges of the supreme court who shall thereupon decide according to law and equity in what manner and in what proportion the

debts shall be paid out of the assets given, having respect to mortgages, bonds with judgment, obligations and common book debts.

(Section IV, P. L.) And whereas there are debts due by this state on accounts settled, or which may hereafter be settled, in favor of persons who are citizens or neighboring states:

And whereas the aforesaid act of April the first, one thousand seven hundred and eighty-four extends only to those who are citizens of this state:

Therefore:

[Section II.] (Section V, P. L.) Be it further enacted by the authority aforesaid, That all persons who have balances due by this state upon the settlement of their several accounts shall be respectively entitled to receive certificates in like manner as the citizens of this state agreeable to act of the first day of April, one thousand seven hundred and eighty-four, anything contained in the said law to the contrary notwithstanding.

Passed March 30, 1785. Recorded L. B. No. 2, p. 488. See the Act of Assembly passed March 10, 1786, Chapter 1202.

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## CHAPTER MCL.

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AN ACT TO AUTHORIZE THE HOLDING OF PRISONERS, ARRESTED WITHIN THE COUNTY OF MONTGOMERY, FOR DEBTS AND OFFENCES, IN THE GAOL AND WORKHOUSE OF THE COUNTY OF PHILADELPHIA UNTIL A PROPER PRISON SHALL BE ERECTED WITHIN THE COUNTY OF MONTGOMERY.

(Section I, P. L.) Whereas in and by an act of general assembly, entitled "An act to erect part of the county of Philadelphia into a separate county,"<sup>1</sup> passed on the tenth day of September last, the said county of Montgomery was described and set off as a separate county, but no provision was thereby made for the safe custody of persons who might be arrested for debt or offence and be committed to the charge of the sheriff

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<sup>1</sup> Passed December 10, 1784, Chapter 1008.