

ered as debts of equal amount are by law recoverable ; and such driver or person having charge of a waggon, shall be answerable to his employer, over and above, for all damages which he may sustain by reason of any such breach of trust.

SECT. X. *And be it further enacted by the authority aforesaid,* That so much of the original act, to which this is a supplement, as prohibits the exportation of domestic liquors, unless in casks wholly made of white oak, be repealed, so far as relates to the heading, and every other part of the act which is altered or supplied, be and the same is hereby repealed. Repeal of parts of former act.

JACOB HOLGATE, *Speaker*  
*of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

---

CHAPTER CXXV.

An ACT for the settlement of the estates of intestates, where some of the heirs reside out of the state.

WHEREAS, considerable inconvenience has arisen, and may hereafter arise, by reason of persons dying intestate, leaving heirs, some of whom reside out of this state, who have been advanced in the lifetime of the intestate, and who refuse or do not come forward to make known the amount of their advancements and settle the estate ; and the administrators cannot, for this reason, settle their accounts, they not being able to ascertain what the distributive shares will amount to ; and there existing no power in the orphans' court under the laws of this commonwealth to grant relief : Therefore,

SECT. I. *BE it enacted by the Senate, and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That Orphans' court authorized on application to appoint auditors to settle amount of advances to heirs out of the state. when any person has died intestate, or may hereafter die intestate within this commonwealth, and any of his or her heirs reside out of this state, and advancements have been made by the intestate in his lifetime, to any of the said heirs, and the estate remains unsettled for the space of one year after the decease of such intestate, the orphans' court of the county wherein the letters of administration may have been granted, upon application of the administrators, or any one of them, for that purpose, shall appoint three disinterested persons as auditors to settle the amount of the advancements made to the heirs respectively, and to apportion the amount of the distributive share of the intestate's estate, to which the heirs respectively may be entitled, and the said auditors shall fix a day upon which they will meet, which shall not be less than four months, nor more than six months from the time of their appointment : and

Administrators to give notice to heirs resident in the state of the time of meeting of auditors. Proviso. When residence of heirs not known to be given in newspapers.

when the said auditors shall have fixed upon the said day, and have given notice thereof to one or more of the administrators, it shall be the duty of the administrator or administrators, to give notice to the respective heirs who reside in this state, of the time and place of the meeting of the said auditors, for the purpose aforesaid: *Provided*, That the notice as to those whose residence is unknown, or who reside out of this state, shall be sufficient if published at least once a week for four months successively, in at least one newspaper printed in the county where the letters of administration may have been granted, or if there be none therein, then in the county nearest thereto wherein a newspaper may be published, and at least once a week for four months successively, prior to the day fixed on for the meeting of the auditors for the purpose aforesaid, in one daily newspaper of the city of Philadelphia: and the said auditors having met at the time and place appointed, and being sworn or affirmed to perform their duty with impartiality and fidelity, shall, after being satisfied that the notices were served on the several heirs, or publication made in the newspapers agreeably to the directions of this act, proceed to ascertain and settle the amount of the advancements made to the heirs, and also ascertain the amount of the distributive share of the intestate's estate, to which the heirs respectively shall be entitled, according to the evidence laid before them: and the said auditors having met as aforesaid, may adjourn from time to time, or in case two of them only should meet at the time appointed, it shall and may be lawful for the two attending auditors to appoint a third person as auditor, who shall be sworn or affirmed as aforesaid, to perform the duties aforesaid. And the auditors appointed as aforesaid, after hearing and examining the evidence laid before them, shall make a report of their proceedings to the stated orphans' court of the proper county, which report shall be confirmed by the judges of the said court, and be conclusive and binding on the heirs, unless it be made appear to the satisfaction of the said judges, that injustice will be done by the confirmation of the same, in which case other auditors shall be appointed by the said court, for the purposes aforesaid.

Auditors may adjourn.

Report to be made to orphans' court.

JACOB HOLGATE, *Speaker*  
of the House of Representatives.

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

## CHAPTER CXXVI.

An ACT to vest the estate of Gideon Dunn, late of the county of Delaware, in his wife and representatives.

WHEREAS, it is represented to the legislature, that Gideon