

tions at the public house of John Everhart, in the village of Chester Pughtown, in the township of Coventry. Chester county.

SECT. 45. *And be it further enacted by the authority aforesaid,* That the township of Hatfield, in the county of Montgomery, shall be a separate election district, and the electors thereof shall hold their general elections at the house now occupied by John Buchammer in said township. Hatfield, Montgomery county.

SECT. 46. *And be it further enacted by the authority aforesaid,* That the electors of Brighton township, in the county of Beaver, shall hereafter hold their general elections at the house now occupied by David Eaken in said township. Brighton, Beaver county.

SECT. 47. *And be it further enacted by the authority aforesaid,* That the electors of the ninth election district, in the county of Huntingdon, shall hold their general elections at the house now occupied by Thomas Johnston in the township of Antis. 9th district, Huntingdon county.

SECT. 48. *And be it further enacted by the authority aforesaid,* That the township of Cousawago, in the county of Crawford, (with the exception of two ranges of tracts off the west end of said township,) shall be an election district, and the electors thereof shall hereafter hold their general elections at the house of Thomas Potter in said township. Cousawago Crawford county.

SECT. 49. *And be it further enacted by the authority aforesaid,* That so much of any act or acts as is by this act altered or supplied, be, and the same is hereby repealed. Repeal.

WILLIAM DAVIDSON, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-fourth day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER CLIV.

AN ACT

To compel assignees to settle their accounts, and for other purposes.

SECT. 1. *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 from and after the passage of this act, in all cases where any person or persons have heretofore made or execu-

On applica-
tion of a cre-
ditor court of
common
pleas to issue
a citation.

ted, or hereafter may make or execute any voluntary assign-
ment of his, her or their estate, real, personal or mixed or
any part thereof, to any person or persons in trust for the
use of his, her or their creditors, or in trust for the use of
such person or persons to whom such assignment may be so
made and the other creditors of such assignor, it shall and
may be lawful for the court of common pleas of the proper
county, and they are hereby authorised and required on the
application of any of the creditors of such assignor, at any
time after two years from the time such assignment shall
have been made, to issue a citation to such assignee or as-
signees commanding him, her or them to appear at a time to
be appointed by the court and settle his, her or their account,
exhibiting a statement of the amount of the estate thus as-
signed to him, her or them, and the manner he, she or they
have disposed of the same, which account shall be exhibited
on oath or affirmation as aforesaid; and the said assignee or
assignees shall be compelled to answer upon oath or affirma-
tion all interrogatories which shall be exhibited to him, her
or them in open court on the examination of his, her or their
account; and the court shall have power to decree a distribu-
tion of the proceeds of such estate agreeably to the intention
of such assignment, after allowing such assignee or assignees
such pay or commission for his, her or their trouble and ser-
vices as the said court in their discretion may think reason-
able.

Account to
be exhibited
on oath, &c.

Assignee to
answer inter-
rogatories.

Court may
decree dis-
tribution.

Obedience to
the citation
may be com-
pelled by at-
tachment and
sequestration
of lands or
goods.

SECT. 2. *And be it further enacted by the authority afore-
said,* That if any person or persons being duly cited as afore-
said to appear at any of the courts of common pleas of the
proper county thirty days before the time appointed for his,
her or their appearance, shall neglect or refuse to attend to
settle their accounts as aforesaid, or shew reasonable cause
why such accounts cannot be settled, the judge or judges of
the said court may send their attachment or attachments for
contempt and may enforce obedience to such citation or order
by sequestration of lands or goods, as fully as any court of
equity may or can do.

Payment may
be compelled
by attach-
ment.

SECT. 3. *And be it further enacted by the authority afore-
said,* That on its appearing satisfactorily to the court that the
person or persons so as aforesaid appointed assignee or assign-
ees, have justly and properly accounted for and apportioned the
estate thus assigned to him, her or them, the said court is
hereby authorised and empowered to compel the payment of
the respective proportions to the creditors of such assignor,
who are legally entitled thereto by attachment.

Power of the
court where
the assignee
is in failing

SECT. 4. *And be it further enacted by the authority afore-
said,* That when an assignee or assignees under either
a voluntary or compulsory assignment heretofore made
or executed, or hereafter to be made or executed, are
made to appear on oath or affirmation to the court of com-
mon pleas of the proper county to be in failing or insol-
vent circumstances, or are about to remove or are wasting

or mismanaging the estate committed to their care, or are neglecting to perform the duties of the trust thus reposed in them, the said court shall issue a citation returnable before them at such time as to them may appear proper and just not exceeding twenty days, and at the return thereof or at such other time as the said court may think the necessity of the case may require to hear the same, and either to dismiss the complaint or direct security or surety to be given by the said assignee or assignees for the faithful performance of the trust, or to dismiss all or any of the said assignees and appoint another or others in his or their stead, and to order and direct all books, papers, monies or estate which appear to be in the hands of such dismissed assignee or assignees, to be delivered and assigned over to such other person or persons as the court may appoint, and shall have power to carry into effect their decrees or orders by attachment against the body or bodies, or sequestration of the lands or goods of such delinquent or delinquents.

or insolvent circumstances, &c. to issue a citation.

And either dismiss the same or direct security to be given, or dismiss the assignee and appoint others.

SECT. 5. *And be it further enacted by the authority aforesaid*, That all assignments so as aforesaid to be made and executed, which shall not be recorded in the office for recording of deeds in the county in which such assignor resides, within thirty days after the execution thereof shall be considered null and void as against any of the creditors of the said assignor.

Assignments to be recorded in 30 days,

SECT. 6. *And be it further enacted by the authority aforesaid*, That all the provisions of the first, second, third and fourth sections of this act, be, and the same are hereby extended to the trustee or trustees, assignee or assignees appointed by the courts of this commonwealth, under such acts of assembly as are now or hereafter may be passed for the relief of insolvent debtors.

Assignees of insolvent debtors included in certain sections of this act.

SECT. 7. *And be it further enacted by the authority aforesaid*, That no suit or action now commenced or hereafter to be commenced in any of the courts of this commonwealth by executors, administrators, trustees or assignees shall abate, or the judgment which may be entered therein reversed or set aside for or by reason of any or all of such executors, administrators, trustees or assignees, being dead either at the time of such suit brought or during the pendency thereof, or by reason of all or any of them being superceded or removed, or the letters testamentary or of administration being repealed or annulled, but the same may be proceeded in to final judgment by the legal representatives upon making the proper suggestions upon the record which the case may require, nor shall any suit or action abate, or the judgment therein be reversed or set aside by the omission to name on the record any one of the party or parties, but in such case the names of the persons so omitted may upon application to the court be added to the record, and the cause shall thereupon be proceeded in to trial and final judgment with the same effect as if such names had been originally inserted upon the record.

Suits not to abate or judgments to be set aside on account of the death, &c. of executors, administrators, trustees or assignees.

Nor for omission of a party.

Repeal. **SECT. 8.** *And be it further enacted by the authority aforesaid, That the act, entitled " An act to oblige the trustees and assignees of insolvent debtors to execute their trusts," passed the twenty-second of January one thousand seven hundred and seventy-four, be, and the same is hereby repealed.*

WILLIAM DAVIDSON, Speaker
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate

APPROVED—the twenty-fourth day of March, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER CLV.

A FURTHER SUPPLEMENT

To the act, entitled " An act for the regulation of the militia of this commonwealth."

SECT. 1. *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 within fifteen days from the first day of May in the year eighteen hundred and eighteen, and in each succeeding year, the captain or commanding officer of each company of the militia shall enroll each person residing within the bounds of his company liable to perform militia duty, and he shall enter the name, age and place of residence of every such person in the roll book; and also take or cause to be taken another list of such persons residing within the bounds of his company, subject to militia duty, who shall omit or decline to be enrolled as aforesaid, who shall be considered as exempts or persons exempted from training with the militia in regiments, battalions and companies, but not as persons exempted from their tour of duty when the militia of this state or any part thereof shall be called into actual service. And every person omitting or declining to make a choice as aforesaid, shall be considered as an exempt, and shall be so entered in the enrolment; and the said exempts shall enjoy the right of appeal, either by themselves or others in their behalf, and have such redress as delinquents have in cases of appeal provided for in this act, and in the twenty-fourth sec-*

Captain or commanding officer to enroll persons within the bounds of his company.

And also to make a list of exempts.

How far they shall be exempted.

Who shall be deemed exempts.

The right of appeal extended to them.