

Clerk of the Orphans' court, the Recorder of deeds, and the Register for the probate of wills and granting letters of administration, of their respective counties. 1790.

SECT. III. *And be it further enacted by the authority aforesaid,* That the several officers before mentioned, upon due notice from the commissioners of the respective counties, as soon as such suitable buildings shall have been constructed, as aforesaid, in their respective counties, shall be, and they are hereby required to deposit and keep the records and papers belonging to their respective offices in the said buildings, under the penalty of two hundred pounds, to be recovered by action of debt, bill or information, the one half to be paid to the county treasurer of the county in which such courts shall be respectively held, and applied to the payment for or repairing of the buildings herein directed to be erected, the other half to the use of him or her who shall sue for the same.

SECT. IV. And whereas suitors and others, having business to transact at the different public offices in the several counties of this commonwealth, are frequently subject to great delays, trouble and inconvenience, by reason of the several public offices being held at a distance from each other, and it is just and reasonable that those persons who hold public offices of trust and profit should accommodate their residence to the ease and convenience of the public: And whereas some time may elapse before the buildings herein before directed may be prepared for the reception and safe keeping of the records and papers aforesaid: *Be it therefore enacted by the authority aforesaid,* That, from and after the first day of January, one thousand seven hundred and ninety-one, as well the officers herein mentioned, as the Sheriff of each respective county, shall keep their offices in such town or place, as is or shall be by law established for holding the courts for such counties, under the penalty of two hundred pounds, to be recovered by action of debt, bill or information, the one half to be paid to the county treasurer of the county in which such courts shall respectively be held, and applied to the payment for, or repairs of, the buildings herein directed to be erected, the other half thereof to the use of him or her who shall sue for the same.

Passed 27th March, 1790.—Recorded in Law Book No. IV. page 77. (d)

(d) By the third section of the fourth article of the Constitution, it is declared that all county officers shall keep their offices in the county town of their respective counties, "unless when the Governor shall, for special reasons, dispense therewith for any term, not exceeding five years after the county shall have been erected." (Note to former edition.)

CHAPTER MCCCCLXXXV.

A further SUPPLEMENT to the act of Assembly, entitled "An act for the relief of insolvent debtors within the province of Pennsylvania." [See vol. 1, pa. 181, chap. 315, and the notes thereto, for a reference to all the laws on this subject.]

SECT. I. IN order to remedy several defects and inconveniences in the laws now in force within this state, for the purpose of granting relief to insolvent debtors:

1790.

The court may allow further time to creditors, for enquiring respecting insolvent debtors applying to be discharged,

SECT. II. *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 if, upon hearing the petition of any insolvent debtor, praying relief from personal imprisonment, according to the several acts of Assembly in such case made, and application on the part of any of the creditors of such debtor, it shall appear to the court having cognizance thereof to be reasonable and expedient, to allow further time for such creditor or creditors to make enquiry relative to the estate and effects of such debtor, it shall be lawful for such court to remand such debtor for such time, as, in their discretion, shall be thought sufficient for such enquiry.

Debtor remanded, on suspicion of fraud, may nevertheless be discharged, after twelve months actual confinement,

SECT. III. *Be it further enacted by the authority aforesaid,* That where any such debtor has been or shall be remanded to gaol, by reason of a strong presumption of fraud, within the meaning of the several acts of Assembly in such case made and provided, it shall be lawful for the court having cognizance thereof to discharge such person from imprisonment, upon the like terms and conditions, and in the like manner, as in the said acts of Assembly is made and provided, in such reasonable time after having been so remanded, as the court, having regard to the misconduct of the party, shall in their discretion think expedient; provided that no such person be discharged from imprisonment, until he or she shall have been in actual confinement twelve calendar months from the time of being so remanded.

Bankrupt, not having a certificate, may be discharged from imprisonment, after twelve months actual confinement,

SECT. IV. *Be it further enacted by the authority aforesaid,* That where any person hath been or shall be adjudged a bankrupt, and may not have obtained a certificate of conformity within the several acts of Assembly of this state for the regulation of bankruptcy, and shall, upon his petition to the court having cognizance thereof, pray relief from personal imprisonment, it shall be lawful for the court, due notice having been given, as well to the creditors of such petitioner, as to the commissioners named and authorized in such commission of bankruptcy, to discharge such petitioner from imprisonment; provided no such person shall be discharged from imprisonment, until he shall have been in actual confinement, for the space of twelve calendar months.

Felons under sentence for restitution, how to be discharged,

SECT. V. *Be it further enacted by the authority aforesaid,* That where any felon shall have been convicted, and sentenced, among other things, to make restitution to the party aggrieved, it shall be lawful for the court in which such felon shall have been convicted, upon his petition, praying the benefit of this act, and upon due notice to the creditors of such petitioner, to order and direct such additional labour to be performed by such felon, in like manner and for the like uses and purposes as was before awarded by the court in which such felon was convicted, as shall, in their judgment, be a sufficient commutation for such restitution, and it shall be lawful for such court, upon due proof that such additional term of labour hath been fully complied with, to order such felon to be discharged from further imprisonment, so far as relates to the claims of any person or persons entitled to restitution, as aforesaid,

SECT. VI. *Be it further enacted by the authority aforesaid, 1790.*
 That where any insolvent debtor, being of the age of fifty years, or upwards, and married, or having a charge of children, shall by his petition, pray the benefit of this act, it shall be lawful for the court, having cognizance thereof, besides the like relief, upon the like terms and conditions, as by the several acts of Assembly for the relief of insolvent debtors is made and provided, to give such petitioner a certificate, which shall operate, with regard to all debts due previously to granting the same, as a discharge both of the person of such petitioner, and of such property as he or she may afterwards acquire; provided such debtor shall not, at the time of making such application for the benefit of this act, be indebted to any one person in a greater sum than twenty pounds; provided also, that any person, who, having received such certificate, shall afterwards be imprisoned on account of any debts contracted after receiving the same, shall not again be entitled to the like benefit.

An insolvent debtor of 50 years or upwards, married, or having a charge of children, may be discharged, and have a certificate exonerating him from his debts.

No person twice entitled to such certificate.

SECT. VII. *Be it further enacted by the authority aforesaid,*
 That it shall not be lawful to discharge any insolvent debtor from imprisonment, unless at least fifteen days notice of the time appointed for hearing such debtor shall have been given to his or her creditors, under the regulations and restrictions in the several acts of Assembly in such cases provided.

Fifteen days notice to be given, before the insolvent is discharged.

SECT. VIII. *And be it further enacted by the authority aforesaid,*
 That where, at the time of any debtor's application to the court for the benefit of the said insolvent acts, there shall be any action or actions depending in the said court or any other court within this state, or judgments obtained against such debtor at the suit of any person or persons, not inhabitants of this state, it shall and may be lawful for the said court to order the discharge of the said debtor from imprisonment, as to the debt or debts demanded, in such action or judgments, on due notice having been given to the attorney at law for the plaintiffs in the said actions, or to the attorney in fact, or known agent, of the said plaintiff, although the creditor or creditors may not have been personally served with any such notices.

Where notice to the attorney at law shall be sufficient.

Passed 27th of March, 1790.—Recorded in Law Book No. IV. page 83.

CHAPTER MCCCCLXXXVII.

A SUPPLEMENT to the act, entitled "*An Act for erecting the southwest part of the county of Cumberland into a new county.*"

SECT. I. **WHEREAS** doubts have arisen, concerning that part of the boundary line between the counties of Cumberland and Franklin, near the town of Shippensburg: For remedy whereof, and to the end that the boundaries between the said counties of Cumberland and Franklin be certainly known,

[Original act, ante. page 264 chap 1095.]

SECT. II. *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 a line, beginning at York county line, in the South Mountain, at the intersection of Lurgan and Hopewell townships; thence by a line

The boundary between Cumberland and