

not authorized by the laws of this commonwealth, being thereof convicted in any court of competent jurisdiction, shall forfeit and pay, for every ticket, chance, or evidence of chance, or part or share thereof, in such lottery, or other device, so offered or sold, bartered or exchanged, the sum of five pounds, one moiety thereof to him, her or them, who shall prosecute the offender or offenders, and the other moiety to the overseers of the poor of the city, town or place, where the offence shall be committed, for the use of the poor thereof, to be recovered as fines, penalties and forfeitures for misdemeanors are recoverable in such courts.

1792.  
Appropriation of the penalty.

Passed 20th January, 1792—Recorded in Law Book No. IV. page 279.

## CHAPTER MDXCIV.

### *A SUPPLEMENT to the laws made for the relief of insolvent debtors within this commonwealth.*

**WHEREAS**, by the laws of this commonwealth for the relief of insolvent debtors, no provision is made for those who languish in prison, being indebted in more than one hundred pounds in the whole, and not having resided within the state for two years next before their imprisonment: and it frequently happens that strangers are arrested and confined in the gaols of this commonwealth, who are indebted to a greater amount, and are unable to pay the same, and have heretofore surrendered, or are willing to surrender, all their estate and effects, for the use of their creditors; and it is proper that citizens otherwise entitled thereto, but not under execution, should receive the like benefit with other insolvent debtors:

(See chap. 315, vol. I, pa. 181, and the notes thereto.)

**SECT. I.** *Be it therefore 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 upon the petition of any person, who hath been or shall be confined in any gaol of this commonwealth for the space of six months, or more, next preceding the time of preferring such petition, and who shall not have resided in this commonwealth for the space of two years before his imprisonment, and who shall not be proceeded against as a bankrupt, to any court having competent jurisdiction, such court shall enquire, by all lawful means, whether the petitioner is so arrested and confined by adversary process, and without any collusion with the plaintiff or plaintiffs, for the purpose of obtaining the benefit of this act; and if it shall appear, to the satisfaction of the said court, that the defendant hath been arrested, and is actually confined, for debts which he is unable to pay, and is held and detained in confinement without his consent or procurement, and against his will, and that he hath in the schedule to be annexed to his petition made a full and perfect discovery and disclosure of all his estate, real and personal, whatsoever and wheresoever, it shall and may be lawful for such court to proceed upon such petition, in the same manner and form, and remand or discharge the said petitioner, upon the same terms and conditions, and the peti-

Insolvent debtors, not having resided two years, &c. how to be discharged.

1792. tioner shall have and be entitled to all and every the same allowan-  
ces, benefits, exemptions and advantages, upon his being remanded  
or discharged, as if he had resided within this commonwealth for  
two years next before his imprisonment, and no other.

Debtors to be  
discharged,  
though not  
under execu-  
tion.

SECT. II. *And be it further enacted by the authority aforesaid,*  
That all other persons who now are, or hereafter shall be, in actual  
confinement, in actions founded upon contract, for the space of thirty  
days next preceding the time of preferring their petition, shall, if  
otherwise entitled thereto, receive the benefit of the several laws of  
this commonwealth made for the relief of insolvent debtors, although  
not charged in execution.

Passed 16th February, 1792.—Recorded in Law Book No. IV. page 284.

## CHAPTER MDXCV.

*A further SUPPLEMENT to the act to incorporate the city of  
Philadelphia.*

(Original act,  
vol. 2, page  
462.)

WHEREAS, by the act to incorporate the city of Philadel-  
phia, there is no provision made that the Mayor, Aldermen, and  
citizens of Philadelphia, may accept the resignation of any of their  
members, nor are they authorized to cause elections to be held to  
supply the vacancies which may happen from various causes: In  
order to prevent the inconveniences which may follow from the  
want of a due provision in such cases,

The corpora-  
tion may  
accept resig-  
nations, &c.

SECT. I. *Be it enacted by the Senate and House of Representa-  
tives of the commonwealth of Pennsylvania, in General Assembly  
met, and it is hereby enacted by the authority of the same,* That  
the Mayor, Aldermen and citizens of Philadelphia, in Common  
Council assembled, shall be, and they are hereby, authorized to re-  
ceive and accept the resignations of such of their members as shall  
from time to time make the same; and that from and after their ac-  
ceptance of such resignations, the persons who shall so resign, and  
whose resignations shall be so accepted, shall no longer be members  
of the said corporation.

and supply  
vacancies by  
new elec-  
tions:

SECT. II. *And be it further enacted by the authority aforesaid,*  
That in order to fill up any vacancy which may happen by death,  
resignation, or otherwise, it shall and may be lawful for the Mayor,  
or Recorder, for the time being, whenever he shall be thereto requir-  
ed by a vote of the Mayor, Aldermen, and citizens of Philadel-  
phia, in Common Council assembled, to issue a writ, under his hand,  
and the seal of the said corporation, directed to the Sheriff of the  
city and county of Philadelphia, commanding him, on such day and  
at such place, in the said city, as shall be therein named, to cause an  
election to be held for so many [Aldermen or] Common Councilmen,  
[or both,] as may be necessary to supply the said vacancies; and the  
said Sheriff is hereby enjoined and required to give public notice of  
the time and place of holding such elections, which shall in all other  
respects be held, conducted and regulated, agreeably to the direc-  
tions and provisions contained in the act to incorporate the city of

Manner of  
proceeding  
on such  
elections.