

bread; also the whole of the act to suspend, for a limited time, so much of the aforesaid act as relates to the assize of bread, and for other purposes therein mentioned, passed on the fourth day of September, one thousand seven hundred and ninety-three, and of the act to continue the same, passed on the sixth day of April, one thousand seven hundred and ninety-five, be and the same are hereby, repealed.\* 1797.

SECT. II. *And be it further enacted by the authority aforesaid,* That, from and after the first day of May next, all loaf-bread made for sale within this commonwealth shall be sold by the pound avoirdupois, and every baker or other person, offering the same for sale, shall keep at his or her house, or at such other place at which he or she shall at any time offer or expose for sale any such bread, sufficient scales and weights, lawfully regulated, for the purpose of weighing the same; and if any baker or other person shall, from and after the first day of May next, sell or offer for sale any loaf-bread, in any other manner, the contract respecting the same shall be void, and the person offending against this act shall, on conviction, forfeit and pay the sum of ten dollars for every such offence, one half to the use of the informer, and the other half to the use of this commonwealth; and it shall be the especial duty of the Clerk of the market, in any place where such officer is appointed, to discover and prosecute all persons offending against this act.

SECT. III. *And be it further enacted by the authority aforesaid,* That this act, and every matter and thing therein contained, except so much thereof as limits its commencement to the first day of May next, shall be in full force and effect within the city of Philadelphia, the township of the Northern-Liberties, and the district of Southwark, immediately from and after the passing of the same, any thing contained in the second section thereof to the contrary in any wise notwithstanding.

Passed 1st April, 1797.—Recorded in Law Book No. VI. page 188.

## CHAPTER MDCCCXXXVII.

*An ACT for the erection of certain election districts in the county of Berks.*

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, the townships, of Bethel, Tulpehocken, and part of Heidelberg township, which lies northwest of Haines's creek, from the source to the mouth thereof, in the county of Berks, are hereby erected into a separate election district; and that the freemen of said district shall hold their general elections in Middletown, in the township of Heidelberg, at the house now occupied by Conrad Stauch.

SECT. II. *And be it further enacted by the authority aforesaid,* That the township of Pine Grove, in the said county, is hereby erected into a separate election district; and that the freemen of said

[\* Vol. 1, p. 425, chap. 707, and chap. 1691, 1813.]

Weight of loaf-bread regulated.

Penalty for transgressing.

Duty of the Clerk of the market.

Commencement and operation of this act.

A new election district erected in Berks county.

Another new district erected.

1797. district shall hold their general elections at the house now occupied by Jacob Gunckel, in the same township.

Passed 1st April, 1797.—Recorded in Law Book No. VI. page 167.

### CHAPTER MDCCCC XXXVIII.

*An ACT supplementary to the act, entitled "An Act directing the descent of intestates real estates, and distribution of their personal estates, and for other purposes therein mentioned."*

[See ante, pa. 143, and the notes thereto.]

**WHEREAS** the goods and effects of testators and intestates have sometimes been wasted by the executors of their last wills and testaments, and by administrators, to the great injury, not only of the legal representatives of the testator, but also of just creditors, and of the sureties in administration bonds; and where executors are empowered to sell real estates, it is just and right that the produce of such sales should be secured for the purposes intended thereby: Therefore,

**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 when any legatee, creditor, or person interested in the real or personal estate of a person who has heretofore died, or shall hereafter die, with a last will or testament, or surety in any administration bond for administering the estate of any decedent, shall declare, on oath or affirmation, that he, she or they have sufficient cause to believe that the executors or administrators, with or without a will annexed, of such decedent are wasting or mismanaging the estate of such decedent, and shall make application for security to the Orphans' Court of the county, in which letters testamentary or letters of administration, with or without a will annexed, have been or shall be granted, the said Orphans' Court are hereby empowered to examine the cause of complaint; and if it should appear to them that the same is just, it shall and may be lawful for such Court to order such executors or administrators to give such sufficient bond, with sureties, or such further security as they may judge necessary, according to the value of the estate, which securities shall be taken and filed in the said Orphans' Court, in the name of the commonwealth of Pennsylvania; and the said bonds shall be deemed and considered in trust for the benefit of all persons interested in said estate, whether as legatees, legal representatives, creditors, or sureties in former administration bonds. And in case such executor or administrator shall refuse or neglect, for the space of thirty days after due notice of such order, to give the security or further security so ordered, then the said Court shall vacate the letters testamentary or of administration, and award new letters to be granted and issued by the Register of the proper county, to such person or persons, and upon such security; as the Court shall think proper; and shall moreover order the first executor or administrator to deliver over and pay to the successor all and every the goods, chattels, rights, credits, title deeds, evidences and securities, which were of the decedent, and

Proceedings to compel executors and administrators to give security.

Penalty on not giving the security; and proceedings thereupon to revoke the letters testamentary or of administration.