

day of September in the year one thousand seven hundred fifty-eight, nor any other child or children which hereafter shall be born of the body of the said Ann, now wife of the said Curtis Grubb, shall be deemed, taken or reputed to be the lawful issue of the said Curtis Grubb on the body of the said Ann begotten.

[Section III.] And be it further enacted by the authority aforesaid, That the said Ann shall be and is hereby barred and excluded of and from all dower and thirds and of and from all right and title of dower and thirds in, to or out of the lands, tenements, hereditaments and personal estate of the said Curtis Grubb.

Provided always, That nothing in this act shall extend or be construed to prejudice or render illegitimate a certain male child of the said Curtis Grubb by the said Ann his wife, called Peter Grubb, born before the first day of September, in the year of our Lord one thousand seven hundred and fifty-eight, but that the said male child be adjudged, deemed and taken to be born in lawful wedlock and be legitimate and inheritable and be capable of taking and inheriting the said Curtis Grubb's lands, tenements, hereditaments and personal estate from and by his father, mother and other ancestors, in like manner as he might or could have done had this act not been made.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I.

CHAPTER DXC.

AN ACT FOR THE RELIEF OF JAMES GREEN, BENJAMIN DAVIS (AND) PAUL RIFFET, LANGUISHING PRISONERS IN THE GAOL OF PHILADELPHIA, WITH RESPECT TO THE IMPRISONMENT OF THEIR PERSONS.

Whereas it hath been represented to the assembly [of this province] by the several petitions of James Green, Benjamin

Davis [and] Paul Riffet that they are languishing prisoners in the gaol of Philadelphia, and that although they are willing to assign over all their respective effects to the use of their respective creditors for the payment of their respective debts and to discharge such as shall thereafter remain unpaid as soon as by their industry they can find means of satisfying such creditors, yet by their imprisonment they are disabled from putting in execution their just intentions and are reduced to great distress:

[Section I.] Be it therefore enacted by the Honorable John Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That the justices of the county court of common pleas for the county of Philadelphia, or any three of them, shall, on application for that purpose to them in writing made by the said James Green, Benjamin Davis and Paul Riffet, or either of them, appoint a certain day and place for holding a special court of common pleas, whereof due notice shall be given to the creditor or creditors at whose suits they respectively stand charged by leaving the same in writing at his, her or their last place of abode, at which time and place the said justices, or any three of them, shall by an order or rule of the said court cause the said James Green, Benjamin Davis [and] Paul Riffet severally to be brought before them; and the said court shall then and there, in the presence of the said creditor or creditors if he or they will be present, administer to the said James Green, Benjamin Davis [and] Paul Riffet separately an oath or affirmation according to law to the following effect, to wit:

“That the account by him delivered into that honorable court in his petition to the said court doth contain a true and perfect account of all his real and personal estate, debts, credits and effects whatsoever, which he or any in trust for him have, or at the time of his said petition had, or is or was in any respect entitled to, in possession, remainder or reversion (excepting the wearing apparel and bedding for himself and family, not

exceeding ten pounds in value in the whole), and that he has not at any time, since his imprisonment or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over in trust for himself or otherwise other than is mentioned in such account, any part of his lands, estate, goods, stock, money, debts or other real or personal estate whereby to have or expect any benefit or profit to himself or family or to defraud any of his creditors to whom he is indebted.”

And the said James Green, Benjamin Davis and Paul Riffet, having respectively taken such oath or affirmation in open court and their several creditors failing to discover any effects or estate belonging to such deponent omitted in his said account, and the said James Green, Benjamin Davis [and] Paul Riffet severally making assignments to any one or more of the creditors as the court shall order and direct in trust for all his said creditors of all his lands, goods and effects contained in such account, by a short indorsement thereon by which said assignment the estate, interest and property of the lands, goods and effects so assigned shall be vested in the person or persons to whom such assignment shall be made, who may take possession of the same in his or their own name or names and after [which] no release of the said James Green, Benjamin Davis [or] Paul Riffet, their executors or administrators respectively, shall be any discharge against or bar to the assignees aforesaid; then the said court shall cause and order the said James Green, Benjamin Davis [and] Paul Riffet respectively to be discharged from their imprisonment aforesaid.

[Section II.] And be it further enacted by the authority aforesaid, That the persons of the said James Green, Benjamin Davis [and] Paul Riffet respectively after such his or their discharge as aforesaid, shall not at any time hereafter be imprisoned for any debts before the time of such discharge contracted.

Provided nevertheless, That the discharge of the said James Green, Benjamin Davis [and] Paul Riffet by virtue of this act shall not acquit or discharge any other person from such debt, sum or sums of money for which such person now is bound or engaged with the said James Green, Benjamin Davis and Paul Riffet, or either of them, nor any lands, goods, chattels or

other effects which the said James Green, Benjamin Davis [or] Paul Riffet may hereafter acquire.

[Section III.] Provided also, and be it further enacted by the authority aforesaid, That if the said James Green, Benjamin Davis [or] Paul Riffet shall upon any indictment for taking a false and corrupt oath or affirmation in any matter or thing contained in the said oath or affirmation be convicted by his own confession or by the verdict of twelve men, the said persons so convicted shall suffer all the pains and penalties which by law may be inflicted on any person convicted of willful and corrupt perjury, and shall likewise be liable to be arrested, taken and imprisoned upon any process de novo and charged in execution for the said debt in the same manner as if the said James Green, Benjamin Davis or Paul Riffet had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed February 18, 1769. Referred for consideration by the King in Council, February 26, 1770, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXVII, Section I.

CHAPTER DXCI.

AN ACT FOR A NEW REGULATION OF THE ALLOTMENTS OF BANKS, DAMS, SLICES AND FLOODGATES BELONGING TO THE TINICUM COMPANY, OWNERS AND POSSESSORS OF DRAINED MEADOW LAND IN THE TOWNSHIP OF RIDLEY IN THE COUNTY OF CHESTER.

Whereas by a late act of general assembly of this province, entitled "An act to enable the owners and possessors of a certain tract of marsh and meadow land therein described, situate in the counties of Philadelphia and Chester, to keep the banks, dams, sluices and floodgates in repair and to raise a fund to defray the expense thereof,"¹ certain persons therein named were appointed and empowered to divide the banks which surrounded and included the marsh and meadow ground therein described

¹ Passed February 17, 1762, Chapter 474.