

## CHAPTER DCXLVI.

AN ACT FOR THE RELIEF OF WILLIAM FARIES, JOHN GILLIARD, CHARLES HICKS AND JOHN REYNOLDS, LANGUISHING PRISONERS IN THE GAOL OF PHILADELPHIA, AND WILLIAM BENNETT AND FALIX McCOWAN, LANGUISHING PRISONERS IN THE GAOL OF YORK COUNTY, WITH RESPECT TO THE IMPRISONMENT OF THEIR PERSONS.

Whereas it has been represented to the assembly of this province by the several petitions of William Faries, John Gilliard, Charles Hicks and John Reynolds that they are languishing prisoners in the gaol of Philadelphia, and by the petitions of William Bennett and Falix McCowan that they are languishing prisoners in the gaol of the county of York, 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 Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, 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, on application to them for that purpose in writing made by the said William Faries, John Gilliard, Charles Hicks and John Reynolds, or either of them; and that the justices of the court of common pleas for the county of York, or any three of them, on application for that purpose in writing made as aforesaid by the

said William Bennett and Falix McCowan, or either of them, shall appoint a certain day and place for holding a special court of common pleas in their respective counties, 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 times and places so appointed by the said courts, respectively, they the said respective courts shall by an order or rule of court cause the said William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan severally and respectively to be brought before their said respective courts, and the said courts respectively shall at the times appointed as aforesaid, in the presence of the said creditor or creditors, if he or they will be present, administer to the said William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan, separately and respectively, 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 as 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 William Faries, John Gilliard and Charles Hicks and John Reynolds and William Bennett and Falix McCowan 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 William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan sev-

erally making assignments to any one or more of the creditors as the said respective courts shall order and direct in trust for all their respective creditors of all their 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 William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan, or any of them, their executors or administrators, shall be any discharge against or bar to the assignees aforesaid, then the said respective courts shall cause and order the said William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan, 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 William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan, 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 William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan 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 William Faries, John Gilliard, Charles Hicks and John Reynolds and William Bennett and Falix McCowan, or any of them, nor any lands, goods, chattels or other effects which they the said debtors respectively may hereafter require [*sic*].

[Section III.] Provided also and be it further enacted by the authority aforesaid, That if the said debtors, or any of them, 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 person or persons [so] convicted

shall suffer all the pains, penalties and disabilities 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 same debt in the same manner as if they had never been in execution or discharged before, and shall forever after be barred of any benefit of this act.

Passed March 21, 1772. Referred for consideration by the King in Council, January 15, 1773, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXX.

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## CHAPTER DCXLVII.

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### AN ACT FOR RAISING A FUND TO PAY THE DAMAGES DONE BY DOGS WITHIN THE CITY AND COUNTY OF PHILADELPHIA AND THE COUNTY OF BUCKS.

Whereas many of the inhabitants of the city and county of Philadelphia and county of Bucks have sustained great damages by dogs killing and wounding their sheep without any redress or legal remedy against the owner or owners of such dogs:

And whereas the said mischiefs have in a great measure arisen from the number of useless and unnecessary dogs kept by the inhabitants of the said city and counties:

For remedy whereof:

[Section I.] Be it enacted by the Honorable Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, 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 there shall after the publication of this act throughout the said city and counties be raised, levied, collected and paid yearly and every year for every dog above the age of three months of what size or kind soever which any person or persons shall own, keep or be possessed of within the same, the rates and sums of money