

troller general by evidence or otherwise that the certificates were bona fide received by the person producing them, either in exchange for a like sum of state money, drawn to accommodate his brother officer, or in the purchase of forfeited estates from the divided parts or certificates of officers in the partnership, and not otherwise, the said comptroller general shall report for payment the interest thereof, in like manner with other certificates which remain unalienated.

Passed September 20, 1783. Recorded L. B. No. 2, p. 154, etc.

CHAPTER MXXXVII.

AN ACT FOR THE RELIEF OF WILLIAM BROWN, AN INSOLVENT DEBTOR CONFINED IN THE GAOL OF THE CITY AND COUNTY OF PHILADELPHIA FOR DEBT.

(Section I, P. L.) Whereas William Brown, late of the city of Philadelphia, baker, by his petition to this house, hath stated that by certain unforeseen events he suffered divers losses which rendered him unable to discharge the debts he had contracted, but that he was nevertheless desirous of doing justice to his creditors so far as lay in his power, for which purpose he assigned, conveyed and assured to trustees, for the use of his creditors a considerable real and personal estate in the state of New Jersey where he then resided, in the city of Philadelphia in this state, and in the county of Sussex in the state of Delaware, all which was sold for the benefit of his creditors at public sale, but for a price far below the first cost, and the respective value of them; by means whereof the whole of his [said] debts was not discharged, but the net proceeds of his estate was distributed among his creditors in proportion to their debts, after which one or more of his said creditors commenced process at law against him in the county of Gloucester in New Jersey aforesaid, by virtue whereof he was confined in the gaol of that county upwards of twelve months, until the legislature passed

an act for the relief of his person from imprisonment, after which the said William Brown removed with his family to this city, where he set up in business and was trusted by divers persons here who knew his circumstances, and relied on his personal integrity for their security, and that he was in a promising way to retrieve his affairs until one of his former creditors commenced a suit against him for the unsatisfied part of his old debt by virtue of which he is now confined as aforesaid. And the said William Brown in his petition to this house further stated that he had no property whatsoever, the household furniture now in use in his family having been purchased by his friends and lent to him from motives of compassion to him and his family.

(Section II, P. L.) And whereas it appears that the said William Brown hath fully complied with the directions of this house in giving proper notice in the newspapers of his application to this house for relief, and the facts stated in the said petition appearing to be well founded, the prayer of his petition is deemed reasonable:

[Section I.] (Section III, P. L.) Be it therefore 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 the justices of the county court of common pleas in and for the city and county of Philadelphia or some three of them shall and they are hereby authorized and required upon the petition of the said William Brown to the to be for that purpose preferred, appoint a special court of common pleas to be held in the court house in this city on a certain day not less than fifteen nor more than twenty-five days after preferring the said petition, of which the said William Brown shall cause notice to be given in writing at the place of abode of his creditors residing within this state or their known attorneys at law or in fact, and to the creditors residing without this state by inserting the same in two newspapers of the city of Philadelphia at least ten days before the time of holding the said court, at [which] time and place the said justices shall cause the said William Brown to be brought before them and shall then and there in the presence of the said creditors, or such of them, (if any) as shall attend,

administer to him the following solemn oath or affirmation. (viz.)

(Section IV, P. L.) "I, William Brown, do swear, (or solemnly, sincerely, and truly declare and affirm), that the account by me delivered to this court [with] my petition to the same doth contain a true and perfect account of all my real and personal estate, debts, credits and effects whatsoever, which I, or any in trust for me, have, or at the time of my said petition had, or am or was in any respect entitled to, in possession remainder or reversion, (excepting the wearing apparel and bedding of myself, my wife and children not exceeding seventy-five pounds in value in the whole, and excepting also the household furniture and other family necessaries which were purchased by my friends and lent to me and which are now the actual property of my said friends, although kindly lent to me, and left in my possession) and that I have not since my imprisonment or before, sold, leased or assigned or otherwise disposed of or made over in trust for myself [or otherwise] (other than is mentioned in my petition and account) and part of my lands, estates goods, stock, money, debts or other real or personal estate whereby to have or expect any future benefit or profit to myself or any part of my family or to defraud any of my creditors."

(Section V. P. L.) And the said William Brown having taken the said affirmation and his creditors, if any, shall appear [failing] to disprove the same or to discover any effect of the said William Brown not mentioned or comprised in his petition or the account therewith exhibited; and the said William Brown having executed a short indorsement on the said petition containing an assignment of all his own estate, real and personal whatsoever and wheresoever, to any two or three of his creditors to be named by the court for the use of all of them in equal proportions, according to their respective debts, (which said assignment shall be sufficient at law and in equity to vest in the assignees all the right, title, property and interest of the said William Brown in the premises, in their own right but for the use of all the creditors and shall enable them in their own names to take possession thereof and to commence and prosecute suits for the recovery thereof, which [shall] not be released or dis-

continued by any act of the said William Brown, then the said court shall forthwith order and cause the said William Brown to be discharged from his imprisonment and dismissed from all process depending against him for any debts whatsoever in any courts or before any jurisdictions within this state.

[Section II.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the person of the said William Brown shall never be imprisoned nor the household furniture lent to him by his friends and now in his possession, (which shall be mentioned in an inventory to be indorsed on or annexed to his petition to the said court,) shall not be liable to be attached or levied upon to satisfy any debt whatsoever contracted by him before the time of his discharge in pursuance of this act, saving nevertheless the rights of the lenders to resume the possession thereof by all lawful ways and means whenever they shall think proper.

[Section III.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That if the said William Brown shall at any time within six years be prosecuted for and duly and legally convicted of making a false and corrupt oath or affirmation in any matter or thing contained in the oath or affirmation herein above described, by him to be made, then and in such case he shall be liable to suffer all the pains and penalties which by the laws of the land may be inflicted on persons convicted of wilful and corrupt perjury and shall forfeit all the benefit and exemption from imprisonment by this act intended and enacted for him.

Passed September 20, 1783. Recorded L. B. No. 2, p. 156, etc.