

[Section XV.] (Section XXVI, P. L.) And be it further enacted by the authority aforesaid, That if any of the said wardens shall refuse to act, remove from the port of Philadelphia, be rendered incapable of acting or die, that then and in such case, the president or vice-president in council for the time being shall appoint a warden or wardens in the room, stead and place of such warden or wardens, who shall so refuse to act, remove be incapacitated or die, and in case of the refusal, removal, incapacity or death of the collector of tonnage by this act appointed, then the wardens aforesaid or a majority of them shall in the recess of the assembly nominate and appoint a collector in the room, stead and place of the said collector who shall refuse to act, remove from the port of Philadelphia, be incapacitated or die, and as often as a refusal to act removal, incapacity or death of any collector under this act shall take place, which collector shall, during the recess aforesaid exercise all the authorities and jurisdiction under this act appointed to be by him exercised or done in the appointment aforesaid.

Passed April 1, 1784. Recorded L. B. No. 2, page 321. See the Acts of Assembly passed April 1, 1784, Chapter 1101; September 23, 1784, Chapter 1115; April 4, 1785, Chapter 1158; April 5, 1785, Chapter 1161. The act in the text was repealed by the Act of Assembly passed October 4, 1788, Chapter 1365.

CHAPTER MXCVI.

AN ACT FOR THE RELIEF OF JOHN LONG, JOHN McFADDEN, DANIEL DRAIS, MARY CURRIE AND ELIZABETH CARNAGHAN, INSOLVENT DEBTORS CONFINED IN THE GAOL OF THE CITY AND COUNTY OF PHILADELPHIA.

(Section I, P. L.) Whereas John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan, prisoners confined in the gaol of the city and county of Philadelphia for debt, by their petitions to this house have severally set forth that by reason of misfortunes they are wholly unable to satisfy their creditors, and have prayed that they may be discharged from

further confinement; and the house having thereupon, by their committee, caused due and full inquiry to be made into the circumstances of the cases of the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan, and the prayer of their said petitions being found reasonable and just:

[Section I.] (Section II, 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 county court of common pleas in and for the city and county of Philadelphia (by the process of which court the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan have been committed) be and they are hereby authorized and required upon the several and respective petitions of the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan, to grant unto them and [to] each of them, the like relief as by the laws now in force within this state is provided for insolvent debtors who are confined in execution for debt not exceeding one hundred and fifty pounds to any one person.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the same court, upon such petitions being made to them, by the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan, for their several and respective discharges as aforesaid, shall thereupon proceed in all things (except as herein after excepted) conformably to the purport, intent and meaning of the several acts of assembly now in force within this commonwealth for the relief of insolvent debtors, not owing more than one hundred and fifty pounds to one person as aforesaid; and that their several and respective discharges be equally valid and effectual, and their proceedings equally good and binding to all intents and purposes whatsoever.

[Section III.] (Section IV, P. L.) Provided always and be it further enacted by the authority aforesaid, That if any creditor or creditors of the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan or either of them

do not or shall not reside in this state at the time of such proceedings before said court, that the service of notice of application to the said court or of any rule or order of the same court in the premises, on the known agent or attorney of such creditor or creditors within [this] state shall be equally good and effectual as if the same notice or notices were served on such creditor or creditors in person.

[Section IV.] (Section V, P. L.) Provided also, and be it further enacted by the authority aforesaid, That after the said John Long, John McFadden, Daniel Drais, Mary Currie and Elizabeth Carnaghan, or either or any of them shall obtain his, her or their discharge by virtue of this act, it shall not be lawful for the court so discharging him, her or them to remand to gaol them or any of them, although the creditor or creditors of him, her or them, or any of them so discharged, shall or may desire the same, and offer to give security to pay such weekly allowance to the said debtor or debtors or any of them, as the said court shall assess.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the said court shall and may grant relief to the said Mary Currie upon her petition to them as aforesaid, any rent due from her to any of her creditor or creditors notwithstanding.

Passed April 1, 1784. Recorded L. B. No. 2, p. 319, etc.

CHAPTER MXCVII.

AN ACT TO EMPOWER THE SUPREME EXECUTIVE COUNCIL TO SELL THE BARRACKS IN THE NORTHERN LIBERTIES OF THE CITY OF PHILADELPHIA.

(Section I, P. L.) Whereas by the fourteenth section of the act for vesting the estates of the late proprietaries in this commonwealth, passed the twenty-seventh day of November, one thousand seven hundred and seventy-nine, it is provided, that