

of the persons and property of the said minors, and that John Wood, of the city of Philadelphia, gentleman, was appointed by the said orphans' court, guardian of the persons and estate of the said minors, and had accepted of the said appointment:

[Section I.] (Section I, P. L.) Be it therefore 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 John Wood, appointed by the orphans' court of the city and county of Philadelphia, guardian to Jane Jones, Blaitwaite Jones, Mary Jones and Gibbs Jones, minors, or in case of his death, resignation, neglect or refusal to perform the duties of a guardian to the aforesaid minors, such other person as the orphans' court aforesaid shall appoint, shall have full power and authority to make sale of the sixth part of the lot of ground in the act, to which this act is a supplement, mentioned in the manner and for the purposes therein mentioned. Provided always nevertheless, That nothing herein contained shall bar or in anywise affect, the rights of any person or persons, other than those of the minors herein mentioned.

Passed January 24, 1792. Recorded L. B. No. 4, p. 280.

CHAPTER MDCV.

A SUPPLEMENT TO THE LAWS MADE FOR THE RELIEF OF INSOLVENT DEBTORS WITHIN THIS COMMONWEALTH.

Whereas by the laws of this commonwealth for the relief of insolvent debtors, no provision is made for those who languish in prison, being indebted in more than one hundred pounds in the whole, and not having resided within the state for two years next before their imprisonment; and it frequently happens that strangers are arrested and confined in the gaols of this commonwealth, who are indebted to a greater amount, and are unable to pay the same, and have heretofore surrendered,

or are willing to surrender all their estate and effects for the use of their creditors, and it is proper that citizens otherwise entitled thereto, but not under execution, should receive the like benefit with other insolvent debtors:

[Section I.] (Section I, P. L.) Be it therefore 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 upon the petition of any person who hath been or shall be confined in any gaol of this commonwealth for the space of six months, or more, next preceding the time of preferring such petition, and who shall not have resided in this commonwealth for the space of two years before his imprisonment, and who shall not be proceeded against as a bankrupt, to any court having competent jurisdiction, such court shall inquire, by all lawful means, whether the petitioner is so arrested and confined by adversary process, and without any collusion with the plaintiff or plaintiffs, for the purpose of obtaining the benefit of this act, and if it shall appear, to the satisfaction of the said court, that the defendant hath been arrested, and is actually confined, for debts which he is unable to pay, and is held and detained in confinement without his consent or procurement, and against his will, and that he hath in the schedule to be annexed to his petition made a full and perfect discovery and disclosure of all his estate, real and personal, whatsoever, and wheresoever, it shall and may be lawful for such court to proceed upon such petition, in the same manner and form, and remand or discharge the said petitioner, upon the same terms and conditions; and the petitioner shall have and be entitled to all and every the same allowances, benefits, exemptions and advantages, upon his being remanded or discharged, as if he had resided within this commonwealth for two years next before his imprisonment, and no other.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That all other persons who now are, or hereafter shall be, in actual confinement, in actions founded upon contract, for the space of thirty days next preceding the time of preferring their petition, shall if otherwise

entitled thereto, receive the benefit of the several laws of this commonwealth made for the relief of insolvent debtors, although not charged in execution.

Passed February 16, 1792. Recorded L. B. No. 4, p. 284. See the note to the Act of Assembly passed February 14, 1729-30, Chapter 315.

CHAPTER MDCVI.

A FURTHER SUPPLEMENT TO THE ACT TO INCORPORATE THE CITY OF PHILADELPHIA.¹

Whereas, by the act to incorporate the city of Philadelphia, there is no provision made that the mayor, aldermen and citizens of Philadelphia may accept the resignation of any of their members, nor are they authorized to cause elections to be held to supply the vacancies which may happen from various causes: In order to prevent the inconveniences which may follow from the want of a due provision in such cases:

[Section I.] (Section I, P. L.) 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 mayor, aldermen and citizens of Philadelphia, in common council assembled, shall be, and they are hereby, authorized to receive and accept the resignations of such of their members as shall, from time to time, make the same, and that from and after their acceptance of such resignations, the persons who shall so resign and whose resignations shall be so accepted, shall no longer be members of the said corporation.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That in order to fill up any vacancy which may happen by death, resignation or otherwise, it shall and may be lawful for the mayor, or recorder, for the time being, whenever he shall be thereto required by a vote

¹ Passed March 11, 1789, Chapter 1394.