

and by the authority of the same, That the three several acts of general assembly following, to-wit, the act entitled "An act to empower the justices of Philadelphia and Chester counties to hold courts at other places than usual."¹ One other act, entitled "An act for the better securing and punishing persons guilty of the crimes therein mentioned."² And the act, entitled "An act to empower the justices of Bucks county to hold courts at other places than usual and for the removal and safe custody of the records and other public papers of the said county,"³ and every clause, matter and thing in the said acts and each and every of them shall be and they are hereby declared to be repealed.

[Section II.] (Section IV, P. L.) Provided always and be it further enacted by the authority aforesaid, That every [act] matter and thing by virtue and in pursuance of any of the said three acts of general assembly, done before the publication of this act, shall be taken, deemed and adjudged to be good and available in law and that all informations, presentments and indictments found, made and taken and all other proceedings and process commenced and issued under the authority of any of the said three several acts and not determined before the publication of this act shall be continued, proceeded on and determined in the city or county respectively where the crimes or offenses were committed, or the cause of action had arisen.

Passed August 19, 1778.

CHAPTER DCCCII.

AN ACT TO INDEMNIFY WILLIAM DEWEES ESQUIRE THE LATE SHERIFF AND JAMES CLAYPOOLE ESQUIRE THE PRESENT SHERIFF OF THE CITY AND COUNTY OF PHILADELPHIA FOR REMOVING THE PRISONERS FROM THE NEW GAOL, AND IMPRISONING THEM AND OTHERS IN THE OLD GAOL IN THE CITY OF PHILADELPHIA.

(Section I, P. L.) Whereas it was in and by an act of assembly of the province of Pennsylvania, entitled "An act for erecting

¹ Passed December 20, 1777, Chapter 769.

² Passed March 13, 1778, Chapter 788.

³ Passed April 1, 1777, Chapter 798.

a new gaol, workhouse [and house] of correction in the city of Philadelphia,"¹ passed on the twenty-sixth day of February in the year of our Lord one thousand seven hundred and seventy-three, enacted and provided, That as soon as the new gaol, workhouse and house of correction by the said act directed to be built in the said city should be builded and finished that all the folons, criminals and others then confined in the old gaol, workhouse and house of correction in the said city should be removed to the new gaol, workhouse and house of correction by the said act directed to be built:

(Section II, P. L.) And whereas the said new gaol, workhouse and house of correction were accordingly built, and the prisoners aforesaid removed to the same:

(Section III, P. L.) And whereas the said new gaol was afterwards to-wit, on or about the twenty-second day of July in the year of our Lord one thousand seven hundred and seventy-six yielded up to the Congress of the thirteen United States of North America for a military prison, and hath been since occupied as a military prison, and may be needed for that purpose for some time yet to come:

(Section IV, P. L.) And whereas it is just and proper that the late and present sheriffs of the city and county of Philadelphia be indemnified for using the said old gaol, and holding felons, criminals and other prisoners therein as though the said old gaol had been and was still the gaol of the said city and county, and that the sheriffs of the said city and county be enabled to keep and hold felons, criminals and other prisoners in the said old gaol for a limited time in like manner as the said sheriffs may lawfully hold such felons, criminals and other prisoners in the proper gaol of the said city and county:

Wherefore:

[Section I.] (Section V, P. L.) Be it 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 William Dewees, Esquire; who was high sheriff of the city and county of Philadelphia, for and during the year ending the fourteenth day of October which was

¹ Passed February 26, 1773, Chapter 673.

in the year of our Lord one thousand seven hundred and seventy-six, and James Claypoole, Esquire, the present high sheriff of the said city and county and their deputies and every of them shall be and are hereby indemnified and saved harmless against all and all manner of suits and actions which may lie or be brought against them or any of them by reason of the keeping and imprisoning of any person or persons in the said old gaol who ought to have been holden in the proper gaol of the said city and county and that if any such suit or action be brought the same shall be hereby barred and the proceedings discontinued by the court.

[Section II.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the sheriffs of the city and county aforesaid may keep and hold in the said old gaol, any felons, criminals and other prisoners who shall be liable to be kept and holden in the gaol of the said city and county from this time for and during the term of one year, or for such shorter time as the Congress shall detain the proper gaol of the said city and county in like manner as if the said gaol had continued to be the lawful gaol of the said city and county, and that all such future keeping and imprisonment not exceeding one year, shall be and are hereby declared to be good and valid to all intents and purposes, and that the sheriffs of the said city and county be hereby enabled and required to remove all prisoners who may be lawfully confined in the said old gaol at the time when he shall become re-poss[ess]ed of the said new gaol as aforesaid from the said old gaol to the proper and lawful gaol of the said city and county.

Passed August 27, 1778. See the note to the Act of Assembly passed February 26, 1778, Chapter 673; and the Act of Assembly passed October 8, 1779, Chapter 860.