

CHAPTER MIV.

AN ACT FOR THE ATTAINDER OF HARRY GORDON UNLESS HE SURRENDER HIMSELF AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas Harry Gordon now or late a military officer in the British service, now or late of the county of Chester within this state on the twentieth day of March, in the year of our Lord one thousand seven hundred and eighty-one was seized in his demesne as of fee of and in two tracts of land in Bedford county and also of other real and personal property in this state:

(Section II, P. L.) And whereas it was alleged that the said Harry Gordon did then adhere to and knowingly and willingly aid and assist the enemies of this state and the United States by having joined their armies:

(Section III, P. L.) And whereas his excellency the president and the honorable the supreme executive council of this commonwealth by their proclamation under the hand of the said president and the seal of the state bearing date the day and year aforesaid did name and require Henry Gordon among others to render himself to some or one of the justices of the supreme court or of the justices of the peace of one of the counties within this state on or before the first day of November then next ensuing and also to abide his legal trial for high treason on pain of being attainted of high treason to all intents and purposes and of forfeiting as persons so attainted ought to do, thereby designing and intending to name and require the aforesaid Harry Gordon so seized of real estate and having joined the enemy as aforesaid to render himself as aforesaid:

(Section IV, P. L.) And whereas the said Harry Gordon did not surrender himself on or before the said day in the said proclamation mentioned and thereupon his estate or some part

thereof hath been seized and sold by the agents for forfeited estates as by law directed in case of persons legally attainted:

(Section V, P. L.) And whereas doubts have arisen by reason of the misnomer of the said Harry Gordon whether the said Harry Gordon be legally attainted, and whether the sales be good and valid in law:

(Section VI, P. L.) And whereas application hath been made that an act of general assembly might be passed to cure the said defect of misnomer and to render the said attainder and sales valid:

[Section I.] (Section VII, 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 if the said Harry Gordon shall not render himself to some or one of the justices of the supreme court or of the justices of the peace in one of the counties of this state on or before the twenty-fourth day of July next ensuing, and also abide his legal trial for high treason, then the said Harry Gordon not rendering himself as aforesaid or not abiding his legal trial shall from and after the said twenty-fourth day of July stand and be attainted of high treason to all intents and purposes and shall suffer and forfeit and his estate be disposed of in the same manner as if he had been legally and rightly named and required by the proclamation aforesaid to surrender himself as aforesaid and had neglected or refused to so do:

[Section II.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That if the said Harry Gordon shall neglect or refuse to surrender himself as by this act required or to abide his legal trial as aforesaid, then all the seizures, sales and dispositions made of the estate of the said Harry Gordon by the agents for forfeited estates shall be and they are hereby confirmed and made of the same force and validity as they would have been if the said Harry Gordon had been legally and rightly named and required by the said proclamation to surrender himself and had neglected or refused so to do:

(Section IX, P. L.) And whereas sundry proclamations have been issued by the president and the supreme executive council

naming and requiring sundry persons to surrender themselves on or before a certain day therein mentioned on pain of being attainted of high treason and of forfeiting as persons so attainted ought to do:

(Section X, P. L.) And whereas misnomers and mistakes in name, addition or description may have happened, and the persons who were meant and intended to be named and required may not be in all respects truly and properly named and described in the said proclamations, by reason whereof fair and honest purchasers may hereafter be endangered and the commonwealth become liable to make restitution:

For the effectual prevention of which and to extinguish all claims and demands arising from such mistakes and errors:

[Section III.] (Section XI, P. L.) Be it enacted by the authority aforesaid, That no heir, devisee or assignee or any person claiming any right, title, interest or property in the estate real or personal of any person who was meant and intended to be named and described in the said proclamations, and who hath not yet surrendered himself, shall avail him or herself of any such misnomer or mistake or of any pretence or allegation of defect of authority whatsoever to recover any of the estates seized or sold as forfeited or any part thereof, and that no debtor by reason or pretext aforesaid shall withhold or secrete any debts or property belonging or due to such persons so meant and intended to be named and required to surrender themselves; but wherever it shall plainly and clearly appear to the court of jury and the same be certified by the verdict of the jury in case of objections on the trial that the persons, whose estates have been seized or whose debts or property are withholden or secreted were clearly meant and intended to be named and described in the said proclamations and that they have not surrendered themselves according to the requisition of the said proclamations, then all such estates, debts and property shall be adjudged to be vested in the commonwealth, or in the assignees of the commonwealth as fully and effectually as if the said persons had been in every respect legally attainted, any error or mistake of name, description of place, want of jur-

isdiction or authority or other like defect in anywise notwithstanding.

[Section IV.] (Section XII, P. L.) Provided, That nothing in this act shall be deemed, taken or construed to deprive any person so named and required or meant or intended to be named and required to surrender himself, and who hath not surrendered himself, from appearing in person and taking advantage of any such misnomer, mistake or defect of authority, and that nothing herein contained shall deprive such person so appearing from any advantage or benefit which he would have had if this act had not been made.

Passed January 31, 1783. Recorded L. B. No. 2, p. 43, etc.

CHAPTER MV.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR THE SUPPORT OF GOVERNMENT AND ADMINISTRATION OF JUSTICE." ¹

(Section I, P. L.) Whereas doubts have arisen respecting the meaning of the second section of the act, entitled "An act for the support of government and administration of justice,"¹ so far as the same relates to the secretary of the supreme executive council:

For remedy whereof:

[Section I.] 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 from and after the passing of this act the salary of the secretary of the supreme executive council shall be the sum of five hundred pounds per annum, including the expense of clerks, and as a full recompense for all the duties which the said secretary by law or custom is obliged to perform.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the secretary of the supreme exe-

¹ Passed December 17, 1781, Chapter 957.