

CHAPTER MXXIII.

AN ACT PREVENTING VEXATIOUS PROSECUTIONS AND SUITS
AGAINST SUCH AS ACTED IN THIS STATE FOR THE DEFENCE OF
THE LIBERTIES OF AMERICA.

(Section I, P. L.) Whereas divers virtuous citizens of this state and other good people well affected to their country at an early period of the present war with Great Britain for the liberties and independence of the United States of America, have, at the risk of their lives and fortunes, acted in conformity to and carried into execution several resolutions, recommendation, votes and orders of congress, and of the assemblies, conventions, committees, and other public bodies within this state, and also as civil and military officers, and in obedience to them, though perhaps in some cases not sufficiently authorized thereunto; in which proceedings some force and violence, and defect of form, was unavoidable, which in a time of peace and common safety would not have been warrantable; and also since the declaration of independence and the establishment of the present government, by reason of the wars and troubles raised and occasioned by our foreign and domestic enemies, divers like matters and things have been acted and done, all which were necessary and allowable in regard of the exigence of public affairs, and ought to be justified, and the parties concerned therein indemnified; nevertheless some persons ill affected to the present happy government and the safety and welfare of their country have commenced and prosecuted and threaten to commence and prosecute actions and suits against the good citizens for and by reason of their actings and doings aforesaid:

Therefore, for the preventing the troubles and charges which the said virtuous citizens might be put to by means of such vexatious suits and prosecutions and for their indemnity in the premises:

[Section I.] (Section II, 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 all personal actions, suits, indictments, informations, and all other prosecutions whatsoever, for or by reason of any act, matter or thing, done or performed by any assembly, convention, committee or other public body within this state, or in obedience to any ordinance, vote, resolution, recommendation, order or advice of congress, or of any of the assemblies, conventions, committees or other public bodies aforesaid, or of any commanding officer, civil or military or otherwise, for or by reason of the premises, be and are hereby discharged and made void: And if any action or suit hereby declared to be discharged, hath been or shall be commenced or prosecuted, every person so sued may plead the general issue and give this act and the special matter in evidence; and if the plaintiff shall become non-suit, or forbear further prosecution, or suffer discontinuance, or if a verdict or judgment pass against him, the said defendant shall recover treble costs, for which he shall have the like remedy as in cases where costs by law are given to defendants; and the said plaintiff or prosecutor shall moreover forfeit and pay the fine [of] ten pounds to the use of the county where the said defendant shall be arrested or sued, to be recovered as aforesaid in the name of the said defendant.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That this act and the general sentences and words before mentioned shall be reputed, taken, expounded and adjudged in all courts and elsewhere, most beneficial and available to all and singular the good people who may be sued for or by reason of any act or thing done or performed as aforesaid.