

consequence of which he did not receive his full pay; that on his recovery he resumed the public service, and was some time afterwards appointed sergeant-major in the regiment commanded by colonel Richard Butler; in which capacity he continued to serve until after the surrender of Cornwallis at Yorktown in Virginia, when he was discharged, which discharge has been lost: And it further appears that he never received any thing in consequence of his wounds, nor a tract of donation lands: For remedy whereof,

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 proper officers shall place James Mitchell on the list of soldiers entitled to draw donation lands; and on his application, either in person, or by his agent or attorney constituted for that purpose, shall draw and patent him such quantity of donation lands as one of his rank is entitled to, in full of all his claims against the commonwealth.

Approved February 10, 1807. Recorded in L. B. No. 10, p. 430.

CHAPTER MMDCCCLII.

AN ACT FOR THE RELIEF OF DIVERS PURCHASERS OF THE CONFISCATED ESTATE OF HARRY GORDON, WHO WERE EVICTED FROM THE SAME.

Whereas the supreme executive council of this commonwealth, did by proclamation bearing date the twentieth day of March, one thousand seven hundred and eighty-one, name and require Henry Gordon to render himself to the proper officer in this state on or before the first day of November then next ensuing, and to abide his trial for high treason in pain of being attainted and forfeiting as persons attainted ought to do; and whereas the party named and required did not render himself as aforesaid; in consequence whereof, the agents for forfeited estates seized two certain tracts of land in (then Bedford now) Huntingdon county, the property of a

certain Harry Gordon; one of the said tracts containing fourteen hundred and ninety-five acres, and the other containing three hundred and twenty-five acres, and sold the same to a certain James Woods: And whereas the supreme executive council refused to give a deed for the said lands to the purchaser, by reason of doubts whether the said Harry Gordon, was properly required to render himself by the name of Henry Gordon; whereupon the legislature of this commonwealth, on the thirty-first day of January, one thousand seven hundred and eighty-three,⁽¹⁾ passed an act for the attainder of Harry Gordon, unless he should surrender himself on or before the twenty-fourth day of July, then next ensuing, and abide his trial for high treason; and in case he should not so surrender himself, did thereafter confirm the said sale, and make it of the same validity, as if the said Gordon had been properly named and duly attainted by the proclamation of council: And whereas the said Harry Gordon did not render himself, according to the provisions of the said act; whereupon the supreme executive council did on the second day of October, one thousand seven hundred and eighty-three, execute a deed for the said tracts of land, to the said James Woods, therein reciting the premises: And whereas seven hundred and fifty acres of the said larger tract of land, came by sundry conveyances from the said Woods to the devisees of Adam Holliday, of the county of Huntingdon; and four hundred and sixty-two acres and three quarters of the same tract, came by sundry conveyances to David Hayfield Conyngham, of the county of Philadelphia, the possession of the remainder of the same tract not having been recovered by said David Hayfield Conyngham; and the said smaller tract of three hundred and twenty-five acres came by sundry conveyances to Daniel Martin of Huntingdon county; and the devisees of the said Adam Holliday; the said David H. Conyngham, and the said Daniel Martin, were by judgments of the circuit of the United States, rendered in April sessions one thousand eight hundred and five, and one thousand eight hundred and six, generally evicted from the said parcels of land, by a certain Harry Gordon, heir

at law of the first named Harry Gordon: And whereas it appears to the legislature, that the ground of the said eviction was the misnomer of said Harry Gordon, in the proclamation of council; and it is thereby made evident that the sale aforesaid was not of the same validity as it would have been, had the said Harry Gordon been properly named, and duly attainted by proclamation of council: Therefore, to relieve the said parties from the severe loss and injury arising from their contract with this commonwealth, and to carry into effect the promise of this state, solemnly given to the parties by an act of the general assembly:

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 sum of ten thousand six hundred and twenty-six dollars, is hereby granted to the said David Hayfield Conyngham, and the executors of the testament and last will of Adam Holliday, deceased, in full compensation to them, by reason of the evictions aforesaid; and David Stewart, Andrew Henderson, and John Canan, are hereby appointed to view the said tracts of land respectively, and to apportion the said sum of money to the said David H. Conyngham, and the executors of Adam Holliday, deceased, according to the value of the said lands, respectively, at the time of the purchase of Adam Holliday; and their decree therein shall be final; and the said viewers shall report their proceedings in the premises to the governor, who shall thereupon draw his warrants on the state treasurer, in favor of the said parties respectively, for the sum by the said viewers decreed to be paid to them respectively; and the money so apportioned and decreed to the executors of the said Adam Holliday, shall enure to the uses of the testament and last will of said Adam Holliday, in the same manner as is therein directed, as to the said land: And the governor is also hereby authorized further, to draw his warrant in favour of Daniel Martin, for the sum of one thousand and two hundred dollars in full compensation to him, in consequence of the eviction of the said Daniel Martin from

the said three hundred and twenty-five acres, which warrants shall be paid by the treasurer out of any unappropriated monies in the treasury: Provided, that before the said viewers shall proceed to perform the duties herein required, they shall take an oath or affirmation before any justice of the peace, faithfully and truly to perform the same.

Approved February 10, 1807. Recorded in L. B. No. 10, p. 431.
Note (*) Chapter 1004; 11 Statutes at Large, p. 26.

CHAPTER MMDCOLLIII.

AN ACT AIDING THE COMMISSIONERS OF BEAVER COUNTY TO PROCURE WATER IN THE BOROUGH OF BEAVER.

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 sum of seven hundred dollars be, and the same is hereby granted to the commissioners of Beaver county, for the time being; to be paid out of the monies arising from the sales of the inlots and reserved lands adjoining Beavertown, under an act of assembly, entitled "An act directing the sales of certain town lots, in the town of Beaver, and other lands adjacent thereto," passed March the second, one thousand eight hundred and five;⁽¹⁾ and it may and shall be lawful for any person or persons, having purchased a lot or lots at the sales aforesaid, to pay the last moiety of the purchase money due this commonwealth to the commissioners of the said county, who are authorized to receive the same to the amount of seven hundred dollars; and the receipts of said commissioners to such purchaser or purchasers shall be received by the receiver general of this commonwealth in lieu of the purchase money due by them respectively.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners of Beaver county, be, and they are hereby directed to apply the aforesaid sum of seven hundred dollars (or so much thereof