

CHAPTER MMMCXXII.

AN ACT GRANTING AN ANNUITY TO HUGH QUAY.

Whereas it has been represented to the legislature, that Hugh Quay, early in the year one thousand seven hundred and seventy-six, enlisted as a sergeant in the Chester county flying camp; that on the sixteenth day of November, one thousand seven hundred and seventy-six, he was taken prisoner by the British at Fort Washington; and in the inclement winter of that year, he was confined in Bridewell prison, in the city of New York, destitute of every comfort of life, that he was ultimately restored to his country, his wife and five small children, in a most calamitous and pitiable condition, and remained sick for nine months after his return, incapable of making any provision for himself or his distressed family; and in addition to this his claim on the benevolence of his country, he received but three months pay for his services. Under circumstances like these, and considering the far advanced age of the petitioner, and his existing infirmities, it is just and proper that the legislature should in this instance, manifest their gratitude and liberality: Therefore,

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 an annuity of forty dollars be granted for the use of Hugh Quay, to be paid half yearly to Thomas Bodley, esquire, of Chester county, his executor or executors, administrator or administrators, his or their lawful attorney, to commence from the first day of January, one thousand eight hundred and nine, by the state treasurer, which annuity shall be expended by the said Thomas Bodley, his executor or executors, administrator or administrators, his or their lawful attorney, in providing clothing, lodging and diet for the said Hugh Quay; and it shall be, and it is hereby made the duty of the said Thomas Bodley, his executor or executors, adminis-

trator or administrators, his or their lawful attorney, to make an annual return to the orphans' court of Chester county, on oath or affirmation, how and in what manner he or they have executed the trust in him or them confided by this act.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 389.

CHAPTER MMMCXXIII.

AN ACT RELATIVE TO CERTAIN PROCEEDINGS IN THE CASE OF THE PRIZE SLOOP ACTIVE.

Whereas by an act of the general assembly of this commonwealth, passed the second day of April, in the year of our Lord one thousand eight hundred and three, entitled "An act relating to the claim of this commonwealth against Elizabeth Sergeant and Esther Waters, surviving executrixes of David Rittenhouse, esquire, deceased,"⁽¹⁾ the right of this commonwealth was asserted to certain monies which the said executrixes of David Rittenhouse, heretofore treasurer of the commonwealth of Pennsylvania, admitted to have been received by them in the manner in the same act particularly set forth as part of the proceeds of a certain prize called the "Active," captured during the revolutionary war, and provision was made among other things, that if in pursuance of the requisition of the said act (the decree of the district court of Pennsylvania, in the said act mentioned, to the contrary notwithstanding) the said executrixes should pay the said monies into the treasury of the commonwealth, without suit brought against them to compel such payment, they should be indemnified for so doing. And whereas the supreme court of the United States have reviewed the proceedings of the said district court of Pennsylvania, and have adjudged that the decree thereof ought to be enforced notwithstanding the claim of the commonwealth, and the payment of the said monies into the