

At a General Assembly begun and holden at Philadelphia, the fourteenth day of October, A. D. 1731, and continued by adjournment until the thirteenth day of August, 1732, the following acts were passed:

CHAPTER CCCXXVII.

AN ACT FOR REVIVING AND CONTINUING THE PROCEEDINGS OF THE COURTS OF JUDICATURE WITHIN THIS PROVINCE.

Whereas an act of general assembly of this province, made in the year one thousand seven hundred and twenty-six and in the thirteenth year of the reign of his late Majesty, King George the First of blessed memory, entitled "An act for establishing courts of judicature within this province,"¹ which act (supposed to supersede or repeal one other act of assembly of this province, entitled "An act for establishing courts of judicature within this province,"² made in the year one thousand seven hundred and twenty-two) is since repealed by the King in Council. And whereas without some [provi] sion be made for the confirmation of such judgments as have been rendered since the repeal of the said act [and] for the continuance of such process as are depending in the several courts within this province many suitors [may] be [dis]appointed and such judgments may be reversed, and the process upon indictments or informations depending in the several courts of Pennsylvania may be discontinued.

It is therefore humbly prayed that it may be enacted:

[Section I.] And be it enacted by the Honorable Patrick Gordon, Esquire, Lieutenant-Governor of the Province of Pennsylvania, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That no indict-

¹ Passed August 27, 1727, Chapter 298.

² Passed May 22, 1722, Chapter 255.

ment, plea, suit or action in which judgment hath been rendered since the repeal of the said last-recited act of assembly nor any process thereupon shall be abated, quashed, reversed or judged null or void for or by reason of the repeal of the said act of assembly made in the year one thousand seven hundred and twenty-six; but that the said judgments, suits and process shall be and are hereby declared to be good and valid in law, as if the said act had never been repealed. And that no indictment, presentment, action, suit, plea, process or other matter now depending in any court of record within this province shall be discontinued, abated, quashed, nulled or reversed [for or] by reason of the repeal of the said last-mentioned act of assembly only; but that the judges and justices of the respective courts within this province shall by virtue of the said act of [assembly made in the year on thous] and seven hundred and twenty-two, now again come in force [by repeal of the said act of the thirteenth] of King George the First, proceed to hear [try and determ]ine all causes civil and criminal now depending, and the proceedings of the several courts of judicature within this province be and are hereby confirmed, so that no advantage shall be taken of or for any want of authority, defect of jurisdiction or error [on such proceedings] occasioned by such repeal only but that all such de [fects and] errors [be] and are hereby aided according to the true intent and meaning of the said act [as] if the same had not been repealed, any law, statute or usage [to] the contrary notwithstanding.

Passed November 27, 1731. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I.