

THE STATUTES AT LARGE OF PENNSYLVANIA.

Ordinances passed by the Constitutional Convention,
June-September, 1776.

CHAPTER DCCXXVII.

AN ORDINANCE FOR THE RELIEF OF THE PRISONERS IN THE SEVERAL GAOLS IN THE STATE OF PENNSYLVANIA.

Whereas at this time the courts of justice within this state are surceased, and all process and proceedings by which suits can be legally commenced, proceeded in or determined are by the authority of the people justly and totally suppressed:

And whereas the detaining in custody debtors under execution who are willing to deliver up their estates for the use of their creditors, or debtors confined under mesne process who have no legal mode of entering bail in order to free their persons from imprisonment is not only oppressive but can be of no real benefit or advantage to the creditors:

And whereas a total change of government by the assistance of Divine Providence has been effected within the United States, and acts of grace to criminals sometimes are granted on events of such importance:

[Section I.] Be it ordained and declared by the Representa-

tives of the Freemen of the State of Pennsylvania in General Convention met, That all and every person and persons imprisoned or detained in any gaol within this state by reason of any process, writ or commitment for debt or any criminal offense whatsoever (except for capital offenses or practices against the present virtuous measures of the American States or prisoners of war) be forthwith released and discharged.

Provided always that all and every person and persons who shall take or claim the benefit of this ordinance shall before his, her or their discharge exhibit a petition in the respective counties where such person or persons are confined to the persons hereinafter named, setting forth the reasons of such their imprisonment; and if he, she or they so petitioning shall be charged in execution, such prisoner or prisoners shall with his, her or their petition annex the names of his, her or their creditors and the debts due as near as can be and certify an account of his, her or their whole real and personal estate, with the securities wherein any part of it consists, and the deeds, books of accounts, notes or bonds relating thereunto; and upon such petitions and certificates delivered the persons hereinafter named in the respective counties or any two of them may and they are hereby required to order such prisoners to be brought before them and administer or tender to such prisoners the oath or affirmation heretofore required and taken in cases of insolvent debtors by act of assembly of Pennsylvania made in the year of our Lord one thousand seven hundred and twenty-nine; and upon having taken such oath or affirmation such prisoner or prisoners shall make an assignment of such his, her or their estate in the same manner as required by the said act of assembly and to and for the purposes therein mentioned and subject to the pains and penalties declared in the said act, and thereupon he, she or they shall be discharged out from custody; from and after which discharge he, she or they shall not at any time hereafter be imprisoned for the same debt or debts for which he, she or they have made such assignment. And in case it shall appear that the person or persons confined is or are in custody upon mesne process only, the persons hereinafter named or any two of them in

the respective counties shall and are hereby required by order in writing under their hands to discharge such prisoner or prisoners from his, her or their confinement.

Provided nevertheless, That such suit or action shall not cease until finally determined by due course of law.

[Section II.] And be it further ordained, That George Bryan, James Young, Jacob Schryner, John Bull, Henry Hill and Peter Knight of the city and county of Philadelphia, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the city and county of Philadelphia; and John Wilkinson, Henry Wynkoop and James Wallace, of the county of Bucks or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol in the county of Bucks, and David Cowpland, John Crosby and John Sellers, of the county of Chester, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Chester; and William Henry, William Bowsman and John Hopson, of the county of Lancaster, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Lancaster; and Samuel Johnston, Martin Eychelberger and William Leas, of the county of York, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of York; and Robert Miller, John Homes and Stephen Duncan, of the county of Cumberland, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Cumberland; and James Read, William Raser and Daniel Hiester, of the county of Berks, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the goal of the county of Berks; and Robert Trail, Abraham Berlain and Henry Barnet, of the county of Northampton, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Northampton; and William Todd, Charles Cisna and Robert

Elliot, of the county of Bedford, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Bedford; and Samuel Hunter, Laughlin McCartney, and John Boyd, of the county of Northumberland, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol of the county of Northumberland; and Edward Cook, Robert Hanna and David Semple, of the county of Westmoreland, or any two of them be and are hereby nominated, empowered and required to hear and discharge the prisoners in the gaol in the county of Westmoreland.

And that all sheriffs and gaolers heretofore elected and appointed and all other persons within this state give due obedience to the said persons or any two of them within their several counties who have been hereby authorized and appointed to hear and discharge the prisoners aforesaid.

[Section III.] And be it further ordained, That the several sheriffs and gaolers of the several and respective counties heretofore elected and appointed shall and they are hereby authorized, directed and commanded to keep in safe custody all such persons that now are or shall hereafter be committed to them for capital offenses, practices against the present virtuous measures of the American States and prisoners of war, until they shall be discharged by due course of law or by the authority of the honorable the Congress of the United States.

Passed August 1, 1776. See Appendix XXXV, and the note to the act of Assembly passed February 14, 1729-30, Chapter 315.

CHAPTER DCCXXVIII.

AN ORDINANCE TO PREVENT THE COUNTERFEITING THE PAPER MONEY ISSUED BY THE HONORABLE THE CONTINENTAL CONGRESS OR BY THIS OR ANY OTHER OF THE UNITED AMERICAN STATES.

Whereas great mischiefs may arise to the United States of America and the prosperity of the good people, inhabitants