

such and so much of the late laws of the province of Pennsylvania as is judged necessary to be in force in this commonwealth and to revive and establish the courts of justice and for other purposes therein mentioned.¹

Passed February 5, 1777. See the Acts of Assembly passed March 15, 1777, Chapter 749; August 31, 1778, Chapter 805. Repealed by the Act of Assembly passed March 31, 1784, Chapter 1093.

CHAPTER DCCXL.

AN ACT DECLARING WHAT SHALL BE TREASON AND WHAT OTHER CRIMES AND PRACTICES AGAINST THE STATE SHALL BE MISPRISON OF TREASON.

(Section I, P. L.) Whereas it is absolutely necessary for the safety of every state to prevent as much as possible all treasonable and dangerous practices that may be carried on by the internal enemies thereof and to provide punishments in some degree adequate thereto, in order to deter all persons from the perpetration of such horrid and dangerous crimes:

Therefore:

[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 and every person and persons (except prisoners of war) now inhabiting, residing or sojourning within the limits of the state of Pennsylvania or that shall voluntarily come into the same hereafter to inhabit, reside or sojourn, do owe and shall pay allegiance to the state of Pennsylvania.

[Section II] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons belonging to or residing within this state and under the protection of its laws shall take a commission or commissions from the

¹ Passed January 28, 1777, Chapter 735.

King of Great Britain, or any under his authority or other the enemies of this state or the United States of America, or who shall levy war against the state or government thereof, or knowingly and willingly shall aid or assist any enemies at open war against this state, or the United States of America by joining their armies or by enlisting or procuring or persuading others to enlist for that purpose, or by furnishing such enemies with arms or ammunition, provision or any other article or articles for their aid or comfort, or by carrying on a traitorous correspondence with them, or shall form or be anywise concerned in forming any combination, plot or conspiracy for betraying this state or the United States of America into the hands or power of any foreign enemy; or shall give or send any intelligence to the enemies of this state for that purpose, every person so offending and being thereof legally convicted by the evidence of two sufficient witnesses in any court of oyer and terminer shall be adjudged [guilty] of high treason and shall suffer death, and his or her estate shall be and is hereby declared to be forfeited to the commonwealth, except such parts thereof as the judges of the court wherein such conviction may be shall order and appropriate to the support of such traitor's children or wife and children (if any) as to them may appear sufficient until the same shall be otherwise regulated by act of general assembly.

[Section III] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons within this state shall attempt to convey intelligence to the enemies of this state or the United States of America, or by publicly and deliberately speaking or writing against our public defense, or shall maliciously and advisedly endeavor to excite the people to resist the government of this commonwealth or persuade them to return to a dependence upon the crown of Great Britain, or shall maliciously and advisedly terrify or discourage the people from enlisting into the service of the commonwealth, or shall stir up, excite or raise tumults, disorders or insurrections in the state or dispose them to favor the enemy, or oppose and endeavor to prevent the measures carrying on in support of the freedom and independence of the said United States, every such

person being thereof legally convicted by the evidence of two or more creditable witnesses in any court of general quarter sessions shall be adjudged guilty of misprison of treason and shall suffer imprisonment during the present war, and forfeit to the commonwealth one-half of his or her lands and tenements, goods and chattels.

[Section IV] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all offenses by this act declared misprison of treason shall be cognizable before any justice of the peace of the city or county where the offense was committed or where the offender can be found, and every justice of the peace within this state on complaint to him made on oath or affirmation of one or more credible person or persons shall cause such offender to come before him and enter into a recognizance with one or more sufficient surety or sureties to be and appear at the next court of general quarter sessions for the said city or county and abide the judgment of the court, and in the meantime to be of the peace and good behavior toward all people in the state, and for want of such surety the said justice shall commit such offender to the common gaol of the said city or county. And all persons charged on oath or affirmation with any crime or crimes by this act declared to be treason against the state shall be dealt with and proceeded against as in other capital crimes are [sic] [is] by law directed.

Passed February 11, 1777. See the notes to the Act of Assembly passed May 31, 1718, Chapter 236; and the Ordinance of the First Constitutional Convention passed September 5, 1776, Chapter 732; and the Acts of Assembly passed March 8, 1780, Chapter 889; December 3, 1782, Chapter 1000; February 18, 1785, Chapter 1132; April 22, 1794, Chapter 1777. Repealed by the Act of Assembly passed March 31, 1860, P. L. 427.

CHAPTER DCCXLI.

AN ACT PRESCRIBING THE MODE AND MANNER OF QUALIFYING THE COMMISSIONERS AND ASSESSORS.

(Section I, P. L.) Whereas it is absolutely necessary for the commissioners and assessors of the respective counties in this