

by the authority aforesaid, That no attainder of treason to be had from and after the end of the present war between the United States of America and Great Britain, and the acknowledgement of the independency of the said United States by the King of Great Britain shall extend to the disinheriting of any heir, nor to the prejudice of any person or persons other than the offender. And in order to the detecting and punishing in some measure persons accused of treason or misprisons of treason by one witness and at the same time to avoid confounding very different degrees of guilt in the same punishment and for removing doubts concerning the legality thereof:

[Section V.] (Section VII, P. L.) Be it enacted and declared by the authority aforesaid, That in all cases where any charge is made upon oath or affirmation against any person or persons of facts amounting to treason or misprison of treason it shall and may be lawful for the attorney-general, with the leave of the court, to proceed against and charge such person or persons with a misdemeanor and give in evidence any act or acts of treason or misprison of treason, by one witness on the trial, or other proper and legal testimony and such person or persons, upon conviction, shall suffer as in cases of misdemeanor.

Passed March 8, 1780. See the notes to the Acts of Assembly passed May 31, 1718, Chapter 236; February 11, 1777, Chapter 740. The Act in the text was repealed by the Act of Assembly passed March 31, 1860, P. L. 427, sec. 79. Recorded L. B. No. 1, p. 359, &c.

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## CHAPTER DCCCXC.

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### AN ACT TO INCREASE THE PUNISHMENTS OF HORSE STEALING.

(Section I, P. L.) Whereas the punishments heretofore provided against the crime of horse stealing have not proved sufficient to deter evil-minded persons from the commission thereof:

For remedy whereof:

[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 if any person or persons, from and after the passing of this act, shall feloniously take and carry away, any horse, mare or gelding of the property of any other person or persons or of the United States of America, and shall be thereof convicted, every such person or persons so offending for the first offense shall stand in the pillory for one hour, and shall be publicly whipped on his, her or their [bare] backs with thirty-nine lashes, well laid on, and at the same time shall have his, her or their ears cut off and nailed to the pillory, and for the second offense shall be whipped and pilloried in like manner and be branded on the forehead in a plain and visible manner with the letters H. T.

(Section III, P. L.) And whereas persons who have heretofore committed the offense of horse stealing have often escaped from justice by reason of the insufficiency of the bail taken for their appearance to answer for the same:

[Section II.] (Section IV, P. L.) Be it therefore enacted by the authority aforesaid, That from and after the publication of this act, no person or persons, who shall be charged with the stealing of any horse, mare or gelding on the direct testimony of one witness, or who shall be taken with such horse, mare or gelding in his or her possession shall be admitted to bail otherwise than by one or more justices of the supreme court.

[Section III.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That so much of an act of assembly of the late province of Pennsylvania, entitled "An act for the advancement of justice and more certain administration thereof,"<sup>1</sup> and of the supplement thereto, as are contradictory to this act, and no more thereof, are repealed and made void.

Passed March 10, 1780. See the note to the Act of Assembly Passed May 31, 1718, Chapter 236. The Act in the text was repealed by the Act of Assembly passed March 31, 1860, P. L. 427, sec. 79. Recorded L. B. No. 1, p. 360, &c.

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<sup>1</sup> Passed May 31, 1718, Chapter 236.