

CHAPTER CMXXXII.

AN ACT TO PREVENT THE ATTAINDER OF DANIEL RUNDLE AND MATTHIAS ASPDEN FOR A LIMITED TIME, ON CONDITION THAT THEY RENDER THEMSELVES TO TAKE THEIR TRIAL ON OR BEFORE A CERTAIN DAY THEREIN LIMITED AND APPOINTED.

(Section I, P. L.) Whereas, his excellency the president and the honorable the supreme executive council of this commonwealth, by their proclamation under the hand of the said president and the seal of the state, bearing date the twenty-seventh day of July, in the year of our Lord one thousand seven hundred and eighty, by virtue of the powers and authorities to them given in and by an act of the general assembly, entitled "An act for the attainder of divers traitors, if they render not themselves by a certain day, and for vesting their estates in this commonwealth and for more effectually discovering the same, and for ascertaining and satisfying the lawful debts and claims thereupon,"¹ did charge and require, amongst others, Daniel Rundle and Matthias Aspden, merchants, late of the city of Philadelphia, to render themselves to some or one of the justices of the supreme court or of the justices of the peace of one of the counties within this state, on or before the first day of April then next following and also abide their legal trials, respectively, for high treason, on pain that they and each of them not rendering themselves as aforesaid and abiding the trial aforesaid, shall, from and after the said first day of April, stand and be attainted of high treason to all intents and purposes, and shall suffer such pains and penalties and undergo all such forfeitures as persons attainted of high treason ought to do:

And whereas, it is now made appear that the said Daniel Rundle and Matthias Aspden were, at the time of the said proclamation and probably still are, in Europe, that their friends have used all lawful means in their power to convey intelligence to them of their being so proclaimed as aforesaid,

¹ Passed March 6, 1778, Chapter 784.

but that there is very great reason to believe that the said intelligence never has reached them; and it being also shown that the said Daniel Rundle and Matthias Aspden were called to Europe about their own private affairs, and it being alleged and insisted that the said Daniel Rundle and Matthias Aspden will certainly render themselves up and stand their trial for the matters alleged against them if they can be indulged with time to a further day, and have notice of the proceedings here:

Wherefore, it has been prayed on their and each of their behalf that the aid of the legislature may be interposed to stay their attainder, for that no other power is supposed to be competent to that end, which, being just and reasonable:

[Section I.] (Section II, P. L.) Be it therefore 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 further time be given to the said Daniel Rundle and Matthias Aspden, and each of them, for rendering themselves respectively to one of the justices of the supreme court, or of the peace aforesaid, and abiding their trial aforesaid for the term or space of nine months, to be computed from the day of passing this act.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said Daniel Rundle and Matthias Aspden, or either of them, so as aforesaid rendering himself to one of the justices aforesaid on or before the thirty-first day of December next and abiding his trial aforesaid, he or they so rendering himself and abiding his trial, shall not become attainted or suffer the penalties or undergo the forfeitures of high treason for or on account of his not rendering himself and abiding his trial on or before the day limited and prefixed in and by the same proclamation; but, that their, and each of their, attainders be staid, and that he or they so rendering himself or themselves on or before the day hereinbefore limited and appointed and abiding his trial according to the purport, true intent and meaning of this act shall and may be and remain free and clear from all and every attainder and attainders other than such as may ensue upon a full and plain trial and the verdict of their country in due course of law, any-

thing in the afore-recited act of attainder or proclamation in anywise notwithstanding.

[Section III.] Provided always, and be it further enacted by the authority aforesaid, That if the said Daniel Rundle and Matthias Aspden shall not render themselves, respectively, to some or one of the justices of the supreme court or of the justices of the peace of one of the counties within this state on or before the said thirty-first day of December, and also abide their legal trial for such treasons as may be alleged against them, respectively, that then and from thenceforth he or they so not rendering himself as aforesaid, or not abiding the trial aforesaid, shall stand and be adjudged and by the authority of this present act be convicted and attainted of high treason to all intents and purposes whatsoever and shall suffer and forfeit as a person attainted of high treason by law ought to suffer and forfeit, and that he or they so not rendering himself and abiding the trial aforesaid, his estate and effects shall in all things be dealt with, disposed of, regulated and conducted according to the act hereinbefore first recited, anything herein contained to the contrary notwithstanding.

Passed March 31, 1780. Recorded L. B. No. 1, p. 420, etc.

CHAPTER GMXXXIII.

AN ACT FOR VESTING THE ESTATE LATE OF HENRY HUGH FERGUSON IN ELIZABETH HIS WIFE.

(Section I, P. L.) Whereas, Henry Hugh Ferguson, late of the township of Horsham, in the county of Philadelphia, is and stands attainted of high treason, and the estate which he had in this commonwealth is forfeited:

And whereas, by the marriage of the said Henry Hugh Ferguson with his wife, Elizabeth (late Elizabeth Graeme), he became seized of an estate of freehold in a farm and tract of land commonly called Graeme Park, situated in the township and county aforesaid (of which the said Elizabeth was before and