

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any creditor or creditors of the said James Parker doth or shall not reside within this state at the time of such proceedings before the said court that the service of notice of the application to the said court or of any rule or order of the same court in the premises on the known agent or attorney within this state of such creditor or creditors shall be equally good and effectual as if the same notice or notices was or were served on the person or persons of such creditor or creditors, but if such creditor or creditors shall have no such agent or attorney within this state, the said court on satisfactory proof that due diligence hath been used to find out such agent or attorney and that none can be found shall and may notwithstanding proceed to discharge the said James Parker in like manner as if such notice had been actually given.

Passed March 29, 1788. Recorded L. B. No. 3, p. 369.

CHAPTER MCCCLI.

AN ACT FOR VESTING IN THOMAS GORDON, HIS HEIRS AND ASSIGNS CERTAIN ESTATES FORFEITED TO THIS COMMONWEALTH BY VIRTUE OF HIS ATTAINDER OF HIGH TREASON.

(Section I, P. L.) Whereas Thomas Gordon of the township of Oxford and county of Philadelphia was commanded by proclamation of the supreme executive council bearing date the twenty-second day of June which was in the year of our Lord one thousand seven hundred and seventy-nine to surrender himself to some 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 Thursday the fifth day of August then next following and also abide his legal trial on pain that he the said Thomas Gordon not rendering himself and abiding his legal trial as aforesaid should from and after the said fifth day of August one thousand seven hundred and seventy-nine stand and be attainted of high treason and suffer such pains and pen-

alties and undergo all such forfeitures as persons attainted of high treason ought to do:

And whereas the aforesaid Thomas Gordon did not render himself and abide his legal trial as by said proclamation he was commanded to do, he thereby became attainted of high treason and his estate a forfeiture to the commonwealth:

And whereas it appears from satisfactory evidence produced to this house that the said Thomas Gordon was a minor and absent from this continent at the time of his attainder, having been placed on board a British vessel in the port of Philadelphia in the year one thousand seven hundred and seventy-eight by his mother who was also his guardian) much against his own inclination, by reason whereof it became impossible for him to obey the aforesaid proclamation:

And whereas consistent with justice and equity the said Thomas Gordon ought not to suffer by means of the imprudence of a guardian to whose authority the laws of the state had subjected him:

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 the lands, tenements, or other estates real and personal whatsoever and wheresoever which were or would have vested in the aforesaid Thomas Gordon provided he had never become attainted of high treason and which by means of such attainder as aforesaid have been or may or can be forfeited to and vested in this commonwealth, shall be and they are hereby restored to and vested in the aforesaid Thomas Gordon, his heirs and assigns forever in as full and effectual a manner to all intents and purposes as if the said attainder of high treason had never happened and the claim of this state to said estates acquired under and by virtue of such attainder is hereby fully released and forever relinquished.

Passed March 29, 1788. Recorded L. B. No. 3, p. 365. See the Act of Assembly passed September 27, 1791, Chapter 1584.