

CHAPTER XLVIII.

An ACT to encourage the warranting and patenting of lands, north and west of the rivers Ohio and Allegheny, and Conewango creek.

SECT. I. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the secretary of the land-office of this commonwealth, be, and he is hereby authorized to issue warrants and patents to all actual settlers residing north and west of the rivers Ohio and Allegheny, and Conewango creek, who have complied with the acts of one thousand seven hundred and ninety-two, and one thousand seven hundred and ninety-four, who may apply within two years after the passing of this act, with such documents as are now required by law to obtain warrants and patents in that part of the state, also a certificate of the deputy-surveyor of the proper district, certifying that to the best of his knowledge and belief the lands contained in said survey has not been claimed by any other person, by warrant or otherwise, and on the payment of the usual fees of office, such persons shall receive their warrants and patents upon executing a mortgage to the governor, for the use of the commonwealth, to secure the payments of the purchase money and the interest due this commonwealth, in ten equal annual instalments, and all mortgages executed in pursuance of this act shall be for the purchase money and interest thereon only, and shall be filed in the office of the secretary of the land-office, and shall be available in law without the recording thereof. And it shall be the duty of the secretary of the land-office, before he shall deliver any such patent to be enrolled, to endorse thereon, that a mortgage is executed by the patentee to the governor, for the use of the commonwealth, to secure the payments as aforesaid, specifying the amount thereof; *Provided always,* That any person or persons, who have executed or who may hereafter execute a mortgage or mortgages to the governor, for the use of the commonwealth, to secure the payment of the purchase money on lands, shall not in consequence of their executing such mortgage or mortgages, be deprived of the privileges to which freholders are entitled; any law or custom to the contrary notwithstanding. That nothing in this act shall prevent any person or persons or their legal representatives from paying the whole amount due the commonwealth, at any time within the ten years aforesaid; and that the application and mortgage as above stated may be made and executed by a legal agent or representative, duly constituted by letter of attorney, acknowledged before some justice of the peace in the county where the land may lie; *Provided,* That no warrant or patent issued under the authority of this*

Patents to issue to actual settlers, &c.

Certificate from deputy-surveyor stating &c.

Warrants and patents to issue, &c.

Mortgages to be filed in secretary's office.

To be by him endorsed before enrollment &c.

Proviso.

Whole of the purchase money may be paid at any time within the ten years.

Land may be mortgaged by attorney or agent.

act to any actual settler, shall prejudice or in any wise affect, or impair the right, interest or claim, of any person or persons whomsoever in any of the said lands.

SECT. II. *And be it further enacted by the authority aforesaid,* That all surveys made, or that may hereafter be made, agreeably to the eighth section of the act of the third of April, seventeen hundred and ninety-two, and entered in the survey-book of the proper deputy-surveyor, agreeable to said act, it shall be the duty of the deputy-surveyors, on application to them made, to make return of said surveys into the surveyor-general's office at any time after the passing of this act, and the surveyor-general shall file the same in his office, after which the lands so surveyed and returned need not be again surveyed, but the secretary of the land-office shall issue warrants of acceptance for the same to the person or persons applying to take their titles, agreeably to the provisions and directions of the first section of this act.

Deputy surveyors to make return of certain surveys, &c.

SECT. III. *And be it further enacted by the authority aforesaid,* That at any time after the passing of this act, on the application of any of the settlers as aforesaid, who may have filed their applications in the land-office, it shall be the duty of the secretary of the land-office to issue a certificate to the treasurer of this commonwealth, authorizing him to receive any sum or sums of money, not less than ten dollars, and upon the receipt being returned to the land-office it shall be entered to the credit of the said applicant, although he may not have executed a mortgage so as to entitle him to a warrant or patent.

Actual settlers entitled to a credit upon the books, &c.

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of March, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER XLIX.

An ACT to remedy a defect in the title of Jacob C. Welper to certain lots in the town of Berwick, in the county of Luzerne, and in the borough of Easton, in the county of Northampton.

WHEREAS it appears to the legislature that Jacob C. Welper, a native of Germany, emigrated to the state of Pennsylvania on the twentieth of July, one thousand eight hundred and six, and has since declared his intention of becoming a citizen of the United States: That on the twenty-third day of May, one thousand eight hundred and nine, he purchased from