

where he or she shall be convicted, be sold as a servant for any term not exceeding seven years for satisfaction.

[Section XI.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That from and after the first day of June next, no money shall be received in taxes or other public dues in this state other than gold and silver or bills of credit by law equivalent thereto. And that the treasurer of this state be and he hereby is authorized and empowered to set apart the sum of two hundred thousand pounds of the money to be emitted in pursuance of the directions of this act for the purpose of exchanging old continental bills of credit, the commonwealth money emitted by an act passed the twentieth day of March, one thousand seven hundred and seventy-seven, and the money heretofore emitted by the resolves of the assemblies of Pennsylvania according to the rate of exchange to be declared by the president and supreme executive council agreeable to the powers vested in them by an act passed the twenty-third day of December, one thousand seven hundred and eighty. And in order to accommodate the people possessing any of the said old continental, commonwealth or resolve money in the several counties of this state, the state treasurer is hereby authorized to employ the several county treasurers in exchanging the same according to the said rates declared by the supreme executive council and under such restrictions as they may judge proper and necessary.

Passed April 7, 1781. Recorded L. B. No. 1, p. 428, etc. See the Acts of Assembly passed June 25, 1781, Chapter 948; April 13, 1782, Chapter 971; April 13, 1782, Chapter 978; January 31, 1783, Chapter 1003; September 16, 1785, Chapter 1180; March 28, 1787, Chapter 1283; December 4, 1789, Chapter 1470.

CHAPTER CMXL.

AN ACT FOR ESTABLISHING A LAND OFFICE, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas many of the lands in this state heretofore taken up and located under grants, warrants and

other office rights before the tenth day of December, in the year of our Lord one thousand seven hundred and seventy-six, are yet unpatented and the purchase money and arrearages of purchase money thereon due, are vested in the commonwealth subject to the disposal of the legislature, and the owners and holders of such rights since the shutting up of the land office, have not had it in their power to pay in the purchase money or arrearages of purchase money and obtain patents to complete their titles to the same:

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 an office be and it is hereby erected, constituted and appointed, which shall consist of three persons or officers called or known by the names of the secretary of the land office, receiver-general and surveyor-general, which office shall be held and kept in the city of Philadelphia, or such other place as the general assembly shall, from time to time, order and direct; and that into the said office shall be removed and safely kept, all the records and papers of the former land office or board of property in the hands, custody or possession of the late secretary, surveyor-general, receiver-general or of any other person or persons intrusted with the care or management thereof, by or under the late proprietaries of the province of Pennsylvania, or of their governors or lieutenant or deputy governors and all future grants and confirmations of land shall issue from the said office in manner and form hereinafter mentioned.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the said secretary of the land office, the receiver-general and surveyor-general shall be appointed by the general assembly and commissioned by the president or vice-president in council and shall hold their said offices for the term of five years unless sooner removed by the representatives of the freemen of this commonwealth in general assembly met. And the said secretary of the land office, receiver-general and surveyor-general shall be entitled to receive

such fees from time to time as heretofore have been allowed by law until the same shall be altered by the legislature and shall have power to appoint deputies or clerks, to assist in executing the business of their respective offices, for whose conduct they shall be responsible, and copies of records, entries and papers of the said office, duly attested by them or their lawful deputies under their hand and seal of office, shall be as good evidence as the original by law might or could be. And the surveyor-general shall have power to appoint a deputy or deputies in any county of this state, who shall have power to make and return into the land office surveys of land only in the county for which [such] deputy or deputies shall be appointed, for the conduct of which deputy or deputies the said surveyor-general shall be responsible.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the secretary of the land office, surveyor-general and receiver-general shall severally, before they are empowered to act, enter into an obligation before the president of the state with one or more sufficient sureties in the sum of ten thousand pounds to the commonwealth of Pennsylvania, conditioned for the faithful discharge of their respective offices.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all and every the person and persons who are, or shall be, entitled either in law or equity to any lands in this state within the limits of the Indian purchase, by virtue of any grant, warrant or location before the tenth day of December, in the year of our Lord one thousand seven hundred and seventy-six, upon which patents have not issued, shall and may, upon payment to the receiver-general of the land-office hereby established, of the purchase money and interest thereon, or the arrearages of such purchase money and interest agreed on for the said lands, together with the office fees, or if no purchase money or interest is or remains due therefor, then upon payment of the office fees be entitled to receive a patent or patents for the same as is hereafter directed, any former law, custom or usage to the contrary hereof in anywise notwithstanding. And in all cases where surveys

have not yet been made or returned to the former land office on any grant, warrant or location issued before the said tenth day of December, in the year aforesaid, the owner or owners thereof, upon applying to the land office at any time within the space of one year from the passing of this act and paying down the one-third of the purchase money and interest then due on the same shall be entitled to receive an order directed to the surveyor-general to have the same surveyed and returned, and after such survey and return, on payment of the residue of the purchase money and interest in manner aforesaid, he or they shall be entitled to receive a patent and confirmation of the same in like manner.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all purchase money due for lands in this state taken up or entries thereof made, by any grant, license, warrant, application or office right whatever before the said tenth day of December, in the year aforesaid, shall be paid into the receiver-general of the land office hereby established. That is to say: The one-fourth part thereof in one year after the passing of this act, one other fourth part thereof in two years after passing this act and one other fourth part thereof in three years after passing this act and the residue thereof in four years after the passing of this act. And in case of neglect or refusal of paying the aforesaid quotas of the purchase money and interest at the time herein limited for payment thereof by the space of six months, it shall and may be lawful for the commissioners of the county where the lands lie to issue their warrant to the sheriff of the said county, who is hereby enjoined and required to execute the same, commanding him, after due notice, to expose the same lands, or so much thereof as may be necessary, to discharge the sum due, with interest and costs, to sale, and transmit the [same] to the receiver-general of the land office of this state, and the said sheriff shall give the purchaser a deed for the land so by him sold upon receipt of the purchase money and interest.

(Section VII, P. L.) Provided always, That nothing herein contained shall empower any commissioner to issue his war-

rant, or any sheriff to sell any lands for non-payment of purchase money and interest where actual settlements have been made by the owner or owners of the lands and where the owner or owners of such lands have been drove [sic] off by the power of the enemy.

[Section VI.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the several officers of the land office shall meet annually and transmit to the respective county commissioners lists of the delinquents for purchase money and interest or arrearages of purchase money and interest in their respective counties, under the hand and seal of the secretary of the land office.

[Section VII.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That all lands within this state heretofore surveyed under any grant, warrant, location or other office right, shall be returned into the surveyor-general's office (if not already returned) in the space of nine months from the passing of this act; and upon application made by the owners of such lands to the surveyor and their paying or tendering him his legal fees, in such case, if the surveyor refuse or neglect to make or cause to be made returns of the said land, he shall forfeit and pay the sum of fifty pounds, the one half to the informer and one half to the use of the state, to be recovered in any court of quarter sessions in this state by indictment or information.

[Section VIII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That all patents to be granted in pursuance of this act shall be by deed poll and signed by the president or in his absence by the vice-president in council, and countersigned by the secretary of council and under the state seal, in form following, viz.:

“The supreme executive council of the commonwealth of Pennsylvania. To all to whom these presents shall come, greeting: Know ye, that in consideration of the sum of _____, lawful money paid by A. B. into the receiver-general's office of this commonwealth, there is granted by the said commonwealth unto the said A. B. a certain tract or parcel of land, con-

taining _____ acres, lying in the county of _____ and township of _____ (describing the particular bounds of the land and the date of the survey on which the grant issues), with its appurtenances. To have and to hold the said tract or parcel of land, with the appurtenances, unto the said A. B. and his heirs, to the use of the said A. B., his heirs and assigns forever (here insert the tenure and reservation). In witness whereof, his excellency _____, esquire, president (or, if absent, the honorable _____, esquire, vice-president) of the supreme executive council, hath hereunto set his hand and caused the state seal to be hereunto affixed the _____ of _____, in the year of our Lord 178—, and of the commonwealth the _____. Attest, _____, secretary.”

Which patent shall be recorded in the rolls office of this state.

[Section IX.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That all and every of the land or lands granted in pursuance of this act shall be free and clear of all reservations and restriction as to mines, royalties, quit-rents or otherwise, so that the owners thereof, respectively, shall be entitled to hold the same in absolute and unconditional property to all intents and purposes whatsoever, and to all and all manner of profits, privileges and advantages belonging to or accruing from the same, and that clear and exonerated from any charge or encumbrance whatsoever, excepting the debts of the said owner and excepting and reserving only the fifth part of all gold and silver ore for the use of this commonwealth, to be delivered at the pit's mouth, clear of all charges.

[Section X.] (Section XII, P. L.) And be it further enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to extend, to give validity to any grant, warrant or location issued after the fourth day of July, in the year of our Lord one thousand seven hundred and seventy-six, for any lands or lots within ten miles of the city of Philadelphia or within three miles of any county town in this state, or to any warrant, grant or location for a greater quantity of land than five hundred acres in one tract or to any lands or lots not granted in the usual forms of the land office or to lands not

within the Indian purchase, anything herein contained to the contrary in anywise notwithstanding.

Passed April 9, 1781. Recorded L. B. No. 1, p. 431, etc. See the Acts of Assembly passed June 25, 1781, Chapter 947; April 5, 1782, Chapter 964; April 1, 1784, Chapter 1094; April 8, 1785, Chapter 1162; September 16, 1785, Chapter 1180.

CHAPTER OMXLI.

AN ACT TO AMEND THE ACT ENTITLED "AN ACT FOR THE MORE EFFECTUAL SUPPLY AND HONORABLE REWARD OF THE PENNSYLVANIA TROOPS IN THE SERVICE OF THE UNITED STATES OF AMERICA,"¹ AND THE ACT ENTITLED "AN ACT TO SETTLE AND ADJUST THE ACCOUNTS OF THE TROOPS OF THIS STATE IN THE SERVICE OF THE UNITED STATES AND FOR OTHER PURPOSES THEREIN MENTIONED."²

(Section I, P. L.) Whereas, doubts have arisen whether the chaplains and surgeons of the Pennsylvania line are included in the act, entitled "An act to settle and adjust the accounts of the troops of this state in service of the United States, and for other purposes therein mentioned," passed the eighteenth day of December, in the year of our Lord one thousand seven hundred and eighty:²

And whereas, the chaplains and surgeons of the said Pennsylvania line engaged to serve during the present war have not, by the act, entitled "An act for the more effectual supply and honorable reward of the Pennsylvania troops in the service of the United States of America,"¹ the encouragement and reward their services and sufferings justly entitle them to:

[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 the chaplains and regimental surgeons of the Pennsylvania line engaged to serve during the present war shall be, and they are hereby entitled to all the

¹ Passed March 1, 1780, Chapter 880.

² December 18, 1780, Chapter 920.