

CHAPTER MCCLIX.

AN ACT FOR GIVING DURING A LIMITED TIME A RIGHT OF PRE-EMPTION TO THE ACTUAL SETTLERS WITHIN THAT PART OF THIS STATE WHICH IS WITHIN THE TERRITORY PURCHASED [BY THE KING OF GREAT BRITAIN] OF OR FROM THE INDIANS AT FORT STANWIX IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND SIXTY-EIGHT.

(Section I. P. L.) Whereas by the act of general assembly of this commonwealth passed on the first day of April in the year of our Lord one thousand seven hundred and eighty-four, entitled "An act for opening the land office for granting and disposing of the unappropriated lands within this state,¹ no reservation was made or right of pre-emption given to settlers on the lands purchased of the Indians at a treaty held at Fort Stanwix in the year of our Lord one thousand seven hundred and sixty-eight, but in was left in the power of all persons whatever to make application and take out warrants for those lands:

And whereas many of the settlers on the said lands have been driven from their habitations in the course of the war or have remained therein and during the said time with much suffering [and] at great risks have formed a barrier to the country:

And whereas by reason of the war and other causes it is difficult for such settlers to pay the purchase money and take out warrants for the said lands immediately it is therefore just and reasonable that a right of pre-emption for a limited time be given to them, and that they may take out warrants for the lands which they have possessed and improved at so great peril.

[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 no warrant shall issue from the land office of this state for any tract of land on which a settlement is made unless to such person or persons respectively who have made the settlement or their legal representatives until the tenth day of April, which shall be in the year of

¹Chapter 1094.

our Lord one thousand seven hundred and eighty-eight, and if any such warrant shall issue otherwise than aforesaid, it shall be deemed to have issued by surprise, and shall be of no avail in law.

(Section III. P. L.) Provided always, That by a settlement shall be understood an actual personal resident settlement with a manifest intention of making it a place of abode, and the means of supporting a family and continued from time to time unless interrupted by the enemy or by going into the military service of this country during the war.

[Section II.] (Section IV. P. L.) Provided always, That this act shall extend only to that part of this state which is within the territory purchased of or from the Indians by the King of Great Britain at Fort Stanwix, in the year of our Lord one thousand seven hundred and sixty-eight, and that no such settler shall or may have the pre-emption of [any] tract exceeding four hundred acres by reason of any such settlement.

Passed December 30, 1786. Recorded L. B. No. 3, p. 164, etc.
See the Act of Assembly passed March 29, 1788, Chapter 1348;
March 21, 1789, Chapter 1402; March 29, 1790, Chapter 1502.

CHAPTER MCCLX.

AN ACT APPOINTING DEPUTIES TO THE CONVENTION INTENDED TO BE HELD IN THE CITY OF PHILADELPHIA FOR THE PURPOSE OF REVISING THE FEDERAL CONSTITUTION.

(Section I. P. L.) Whereas the general assembly of this commonwealth, taking into their serious consideration the representations heretofore made to the legislatures of the several states in the Union, by the United States in congress assembled, and also weighing the difficulties under which the confederated states now labor, are fully convicted of the necessity of revising the federal constitution for the purpose of making such alterations and amendments as the exigencies of our public affairs require: