

of January, one thousand eight hundred and two, after due and public notice first given, exposed the same to public sale, which was struck off to Amos Jones, at the rate of three pounds, and sixteen shillings per acre, he being the highest and best bidder; that the said Christophel Shiner, since the sale of the said premises, having also died intestate, and no actual conveyance having been made unto the said Amos Jones: And whereas doubts have arisen in the minds of the court of the county of Montgomery aforesaid, as to the right of the said administrators, under the existing laws, to make the conveyance: Therefore,

Section I. (Section I, P. L.) 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 Elizabeth Shiner, Christian Shiner, and John Neyman, the administrators of Christophel Shiner, late of Colebrookdale township, in the county of Berks, deceased, or the survivor of them, be, and they are hereby authorized to convey in fee simple, unto Amos Jones, all that messuage, tenement and tract or piece of land, containing about one hundred and forty acres, situate in New Hanover township, in the county of Montgomery, late the property of Melchior Shiner, deceased, which conveyance shall be equally valid as if the said Christophel Shiner had made the same in his lifetime.

Approved January 14, 1804. Recorded in L. B. No. 9, p. 273.

CHAPTER MMCDVII.

AN ACT DIRECTING THE MODE OF TAKING TESTIMONY IN CASES OF COMPLAINT AGAINST JUSTICES OF THE PEACE.

Whereas frequent applications are made to the legislature for the removal of justices of the peace from office: And whereas the parties frequently reside so far from the seat of government, as in a great measure to prevent that full and fair examination of witnesses, and investigation of the subject, which the nature of the case requires: Therefore,

Section I. (Section I, P. L.) 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 it shall be the duty of the chief justice of the state, or any other of the justices of the supreme court, or the president, or any associate judge of any of the courts of common pleas, on complaint made in writing, signed by at least twenty of the taxable inhabitants of any township, or county, against any justice of the peace residing therein, to issue his process to any constable, commanding him to summon the said justice so complained of as aforesaid, to appear before him on a day to be mentioned therein, which shall not be more than ten nor less than five days from the date of such process; and also to issue compulsory process to compel the attendance, as well of the witnesses named by the complainant's, as those whom such justice of the peace shall require in his behalf; and on the day appointed for a hearing, the said judge shall proceed to examine on oath or affirmation, all such witnesses as may appear, as well those who may be produced to substantiate any of the charges against such justice of the peace, as those whom he may produce in his behalf, and shall fairly, carefully, and impartially write down all depositions, cross-examinations, and interrogatories as aforesaid taken, and shall thereupon seal up, and transmit the same to the secretary of the commonwealth, who shall lay them before the legislature.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That each witness for attendance before any judge, in conformity to the provisions of this act, shall be allowed for each day spent as aforesaid, fifty cents, and the constable serving each process, shall be allowed such fees, as he is entitled to by law for similar services under legal process from a justice of the peace: And the judge shall transmit a certified schedule, or list of the names of the witnesses, and the time they respectively attended, together with the account of the costs upon each process served by the constable, to the commissioners of the county, and the expense of such attendance and service, together with all other

necessary expenses arising under the provisions of this act, shall be paid out of the monies raised for the use of the proper county, in which such justice resides, upon warrants drawn by the commissioners of the county, upon the county treasurer.

Approved January 14, 1804. Recorded in L. B. No. 9, p. 274.

CHAPTER MMCDVIII.

AN ACT FOR THE RELIEF OF JOHN LONEY.

Whereas, John Loney, by his petition to this legislature, and sundry documents, hath fully shown, that in the month of June, in the year one thousand seven hundred and ninety-seven, he settled on a tract of land, on the head waters of Oil creek, in Union township, Erie county, and continued, with his family, to reside thereon, until the month of March, one thousand seven hundred and ninety-nine; having, in that time, cleared eight or ten acres of land; when by the fall of a tree, he was crushed and wounded, so as to render him incapable of prosecuting his improvement, and continuing his residence; and has since, in a great measure been supported by the charity of others; and that he is still a cripple, and likely to continue so for life: And whereas, the said John Loney prays the legislature, that he may be exonerated from the condition of further residence: And whereas, it appears, by sundry certificates, that there is no other person claiming said tract of land: Therefore,

Section I. (Section I, P. L.) 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 John Loney be, and he is hereby exonerated from the condition of further residence and improvement on the aforesaid tract of land; and the officers of the land office are hereby authorized and required, to complete a title to the aforesaid tract of land to John Loney, or his heirs; he or they paying the purchase money, and usual fees of office: Provided always, that nothing in