

the township and district aforesaid; and the court of quarter sessions of the county of Philadelphia, having approved the same; the amount of damages awarded by the said viewers, shall be paid by the treasurer of said county, and the court shall direct the supervisor of the highways, or if within the incorporated part of the Northern Liberties, or of the district aforesaid, the superintendent, to stay the opening of such road, street, lane or alley, until the amount of the damages so awarded shall be fully paid and satisfied: Provided always, that unless the same shall be paid within one year next after the return made by the viewers, all such proceedings as afore said, shall be void and of no effect whatever.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That so much and no more of any act or acts, as are by this act altered and supplied, be and the same is hereby repealed.

Approved April 3, 1804. Recorded in L. B. No. X, p. 32.
Note (†). Chapter 2298. Supra, this volume, p. 151.

CHAPTER MMDXXI.

AN ACT FOR ASCERTAINING THE RIGHT OF THIS STATE TO CERTAIN LANDS LYING NORTH AND WEST OF THE RIVERS OHIO AND ALLEGHENY, AND CONEWANGO CREEK.

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 applications of actual settlers for lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek, under the act, entitled "An act for the sale of the vacant lands within this commonwealth," passed the third day of April one thousand seven hundred and ninety-two,⁽¹⁾ describing particularly the lands applied for and filed with the secretary of the land office, vouching such other requisites as provided for by the act of twenty-second of September one thousand seven hundred and ninety-four,⁽²⁾ entitled "An act to prevent the receiving any

more applications, or issuing any more warrants, except in certain cases, for any land within this commonwealth," shall, for two years, from and after the passing of this act, entitle the applicant, his heirs and assigns, to all the privileges and benefits that an original or vacating warrant would entitle them to, and on the trial of all suits brought, or to be brought, between warrantees and actual settlers, concerning lands situate as aforesaid, the actual settler shall be permitted to plead and make proof of his improvement and residence, as fully and with equal force and effect as if such settler had obtained a vacating warrant; but nothing in this act contained, shall be construed to impair any contract or agreement, nor to bar the legal or equitable claims of any person or persons to said lands, nor to release said lands from the conditions of settlement, residence, improvement, purchase-money and interest required by the aforesaid act of the third day of April one thousand seven hundred and ninety-two,⁽¹⁾ nor to the granting of any lands heretofore reserved or appropriated by law.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the governor be and he is hereby authorized to employ one or more able counsel, generally to attend to the interests of the state, in and to the aforesaid lands, in all suits already commenced, or which shall be ready for trial at the next April; or at any succeeding term in the circuit court of the United States, and to draw his warrant or warrants in favor of such counsel, for such sum or sums as may be thought proper, which shall be paid out of any unappropriated monies in the treasury of this commonwealth: Provided such sum or sums do not exceed one thousand dollars; and that the appearance and attendance of counsel as aforesaid, shall not be so construed as to acknowledge or give any further or additional power or jurisdiction, other than the courts have heretofore constitutionally possessed and exercised in the plea aforesaid.

Approved April 3, 1804. Recorded in Book X, page 34.

Note (*). Chapter 1624; 14 Statutes at Large, 232.

Note (*). Chapter 1784; 15 Statutes at Large, p. 205.