

Section XXVII. (Section XXVII, P. L.) And be it further enacted by the authority aforesaid, That if the said road shall be laid out and founded over and upon any land, whereby the owner thereof shall suffer damage; the person or persons sustaining such damage, may make application to the court of the county in which such damage shall have been done; and thereupon the court shall appoint six fit and disinterested persons, to view and adjudge the amount of the damages so done; which if approved of by the court shall be paid by the company: Provided always, that it shall be the duty of the viewers in assessing damages, to take into consideration the advantages derived from said road passing through the land of the complainant; and that when the said road shall happen to be laid out and founded on any former laid out and confirmed road, the owner or owners of such lands shall not be entitled to receive compensation from the company for any damages sustained thereby.⁽¹⁾

Approved April 7, 1807. Recorded in L. B. No. 11, p. 2.
 Note (*) See Chapter 2942; *Infra* this volume, p. 794.

CHAPTER MMDCCCXXIII.

AN ACT GRANTING JACOB BOTTIMORE A TRACT OF DONATION LAND.

Whereas it has been represented to the legislature, that Jacob Bottimore served as a soldier in the second regiment of Pennsylvania, for upwards of four years; that on the second of January one thousand seven hundred and seventy-seven, in a skirmish which ensued after the battle of Trenton, he was wounded by a musket ball which passed through his body and broke two of his ribs; that he was honorably discharged from the service, and is now become old and infirm, and by reason of said wound is unable to procure a livelihood by manual labor: Therefore,

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-

sylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the land officers of this commonwealth, be, and they are hereby authorized and directed to issue a patent for two hundred acres of donation land to the said Jacob Bottimore, his heirs and assigns, in the usual manner.

Approved April 7, 1807. Recorded in L. B. No. 11, p. 14.

CHAPTER MMDCCCXXIV.

AN ACT FOR THE RELIEF OF EDWARD CHISSELDEN.

Whereas it appears that Edward Chisselden was a soldier in the eighth Pennsylvania regiment, and served during the revolutionary war; that as such he received a tract of donation land, and that a certificate for the depreciation of his pay, issued in his name, for the sum of seventy-five pounds one shilling; that the said certificate was redeemed through the land office, having been presented by a certain Peter Benson; that on the eighth day of June, one thousand seven hundred and eighty-five, letters of administration were fraudulently obtained by a certain John Malone; that a suit was instituted in the court of common pleas of the county of Philadelphia, by said Chisselden, against John Malone, at December term, one thousand seven hundred and eighty-nine; but the said John Malone could not be found or arrested by virtue of the process in the said suit; and as the delivery of the said certificate to such supposed administrator was illegal, and cannot in law or equity discharge the commonwealth, from making good the same: And whereas the said Edward Chisselden, is now old and deprived of sight, and without relations, and much in need of public assistance: 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