

CHAPTER MDLV.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT FOR THE BETTER SUPPORT OF THE PUBLIC CREDIT, BY AN IMMEDIATE SALE OF THE LANDS THEREIN MENTIONED, AND FULLY SECURING THE PURCHASERS THEREOF IN THEIR TITLES, AND ALSO FOR PRESERVING THE COMMON LANDS, APPURTENANT TO THE CITY OF PHILADELPHIA AND OTHER TOWNS IN THIS STATE, FROM UNWARRANTABLE ENCROACHMENTS."

Whereas by the dissolution of the late supreme executive council, the powers vested in them by the act, entitled "An act for the better support of the public credit, by an immediate sale of the lands therein mentioned, and fully securing the purchasers thereof in their titles, and also for preserving the common lands, appurtenant to the city of Philadelphia and other towns in this state, from unwarrantable encroachments," (1) enacted the tenth day of April, one thousand seven hundred and eighty-one cannot be executed, and it is necessary for certain purposes, to revive those powers, and to make such provision as the alteration of circumstances by the sale of the city lots therein mentioned, hath rendered proper.

[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 all the powers and authorities vested by the act, entitled "An act for the better support of the public credit by an immediate sale of the lands therein mentioned and fully securing the purchasers thereof in their titles, and also for preserving the common lands, appurtenant to the city of Philadelphia and other towns in the state from unwarrantable encroachments," in the late president, or vice-president, and supreme executive council of this commonwealth, relative to the claims depending before the said council

¹ Chapter 942.

at the time of their dissolution, and all powers and authorities necessary to carry into effect the decisions of that board on the forementioned subject, be, and the same powers and authorities are hereby, revived, continued and vested in the judges of the supreme court of this commonwealth in as full and ample a manner as the same were exercised and enjoyed by the said late president, or vice-president in council; and the said supreme court is hereby fully authorized and empowered to hear and determine all claims for city lots, agreeably to the directions of the act herein recited, which were depending or made at the time of the dissolution of the said supreme executive council, taking cognizance thereof and proceeding therein to as full effect as the said president or vice-president in council could have done; and in case equivalents in lots for the whole, or any part of claims, cannot be had, owing to the lots which by law should have been assigned to those entitled thereto being sold by the commonwealth, the said court shall order a writ or writs to be formed by the prothonotary of the said court, in the name of the commonwealth directed to the sheriff of the county of Philadelphia, commanding him to cause a jury of twelve lawful men of his bailiwick to be empanelled, and sworn, or affirmed, who shall proceed to value the lot or lots sold by the commonwealth, and claimed by the party adjudged to be entitled thereto, and to return their said valuation to the said court, who shall certify the same to the governor, and in case of partial equivalent having been given, by virtue of the decree or order of the late president or vice-president in council, and a balance shall appear to be due for which no equivalent in lots hath been obtained, the said judges shall certify the amount of such balance to the governor or in case a lot or lots assigned by any jury in virtue of the act herein before recited, shall appear to the said judges on due examination had, not to have been within the power of the state to grant, or cause to be assigned, as an equivalent in the whole, or in part, then the court on being duly satisfied of the value of the said lot or lots so improperly assigned, shall certify to the governor the amount of the value of such lot or lots, and the governor shall cause the amount of said valuation first mentioned, that of the balance

before stated, or the value of the lot or lots so improperly assigned, to be entered in the books of the register-general and comptroller-general, and certificates shall thereupon be issued for the amount of the sum or sums respectively certified to be entered as aforesaid, in favor of the party or parties entitled thereto, which certificates shall bear interest from their respective dates. Provided, always, nevertheless, That nothing herein contained shall be constructed to admit any claims to city lots, which were barred by the act to which this is a supplement.

[Section II.] (Section II. P. L.) Be it enacted by the authority aforesaid, where petitions have been preferred to the late executive council, for the determination of claims to city lots within the time limited in the said act, on which petitions no decision or determination has been pronounced by the said executive council, the said judges shall proceed to hear and determine on such claims and petitions, and their judgment shall be final, either to award possession to the claimants, or to decree in favor of the commonwealth, as to the said judges shall appear just and equitable.

Passed April 8, 1791. Recorded L. B. No. 4, p. 168, etc.

CHAPTER MDLVI.

AN ACT TO PROVIDE PAYMENT OF CERTAIN INCIDENTAL EXPENSES OF THE LATE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, AND OF THE LATE CONVENTION OF THE SAME.

Whereas by the sudden dissolution of the late general assembly of this commonwealth, certain demands, heretofore arising from transacting the business thereof, have unavoidably remained unpaid. And whereas it is right and just that demands incurred by reason of moneys paid, or services rendered, by those in the employ of the late general assembly, or of the late convention of this commonwealth, should be paid and discharged.