

CHAPTER MDCLXXVII.

AN ACT FOR LAYING OUT A TOWN AT PRESQU ISLE.

Whereas establishing a town at Presqu Isle would promote the settlement of the neighboring country and thereby place the frontiers of Pennsylvania in a safer situation: 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 the governor be and he is hereby empowered to cause to be surveyed the tract reserved at and near Presqu Isle by the act, entitled "An act for the sale of the vacant lands within this commonwealth."¹ passed the third day of April, one thousand seven hundred and ninety-two, and at the most eligible place within the said tract, he shall cause to be laid out and surveyed sixteen hundred acres of land in town lots, not more than one-third of an acre each, and also three thousand four hundred acres adjoining the same in out lots, not less than five acres nor more than ten acres each:

Provided always, That the governor shall reserve out of the lots of the said town so much land as he shall deem necessary for public uses, also so much land within or out the said town as may in his opinion be wanted by the United States for the purpose of erecting forts, magazines, arsenals and dockyards.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the first two hundred persons who shall actually inhabit and reside on or before the first day of January next within the said town, shall each and every of them, be entitled to one unappropriated town lot and one out lot to be ascertained by lottery, for which they shall, respectively, receive a deed clear of all charges:

Provided, that such persons, respectively, or their respective

¹Chapter 1624.

representatives or assignees, shall inhabit and reside within the said town for the term of three years, and also with the same term build, or cause to be built, an house, at least sixteen feet square and containing at least one brick or stone chimney, on the town lots to be granted in pursuance of this act.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the governor is hereby authorized to sell two hundred of the town lots, exclusively of those granted by the next preceding section, and the whole of the other out lots in such manner as he shall think most to the advantage of the state, and make conveyances of the same, excepting always such as shall be reserved for public uses:

Provided always, nevertheless, that the sale shall be made upon this condition, that the respective purchasers shall and do within the term of three years erect and build one house at least sixteen feet square, and containing at least one brick or stone chimney, on each and every town lot by them purchased; and no deed of conveyance, shall be granted by the governor to any purchaser, nor after the expiration of the said term of three years shall the sale be deemed or construed to vest any title, claim or demand in any purchaser, unless satisfactory proof be first given, that a house has been erected and built on the town lots sold as aforesaid, according to the true intent and meaning of this act.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the streets, lanes and alleys of the said town and out lots shall be common highways forever, and that previous to the sale or sales of the said town lots and out lots, notice shall be given of the same in at least three of the newspapers of the state, at least ten weeks previous to such sale or sales.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the expenses necessary to carry this act into operation shall be paid out of the moneys arising from the aforementioned lots and out lots.

Passed April 8, 1793. Recorded L. B. No. —, p. —, (not given).
Governor authorized to send out detachment of troops, Act of Feb. 28, 1794, Chapter 1715. Supplement passed April 18, 1794, Chapter 1748. Repealed by Act passed April 18, 1795, Chapter 1856.