

CHAPTER MCMLIII.

AN ACT TO CONTINUE AN ACT ENTITLED "AN ACT FOR OPENING AND BETTER AMENDING AND KEEPING IN REPAIR THE PUBLIC ROADS AND HIGHWAYS WITHIN THIS PROVINCE."¹

[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 act entitled "An act to continue the act of General Assembly entitled, 'An act for opening and better amending and keeping in repair the public roads and highways within this province'"² and everything in the same act contained (the clause of limitation thereof only excepted) shall be, and the same hereby, is, continued, for and during the term of two years from and after the enacting hereof, and from thence until the end of the next session of the general assembly, and no longer.

Passed April 5, 1797. Recorded L. B. No. 6, p. 202, etc.

CHAPTER MCMLIV.

AN ACT DIRECTING THE SALE OF SUCH OF THE BARRACK AND CITY LOTS AS REMAIN THE PROPERTY OF THE COMMONWEALTH.

[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 surveyor general, receiver general and secretary of the land office be, and they are hereby, authorized and required, within three months from and after the passing of this act, to offer for sale, at public auction, all the barrack lots, the property of this commonwealth, within the Northern Liberties, in the county of Philadelphia, and the said lots to sell for the best price that can be obtained.

¹Passed March 21, 1772. Chapter 653.

²Passed September 29, 1787. Chapter 1320.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said surveyor general, receiver and secretary of the land office be, and they are hereby, authorized and required to sell at public auction, to the highest and best bidder, all the lots of ground, in the city of Philadelphia, the property of this commonwealth, which have not heretofore been appropriated by law.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if the purchase money shall not be paid within six months from and after the sale herein directed to be made, such lots as remain unpaid for, shall escheat to the commonwealth, and be sold a second time, at public auction, and the former purchaser shall be liable for the deficiency of such second sale.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That, upon the payment of the purchase money to the receiver general, and the same being by him certified to the governor, a deed shall issue, in the same manner as patents for lands within this commonwealth do.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all such claims for city lots as were made by petition to the executive council, and remain undecided may be renewed by petition to the judges of the supreme court, who shall, thereupon, proceed, as speedily as possible, to hear and determine the same, and if their determination shall be in favor of any such claim, they shall direct the sheriff of the county of Philadelphia, by a jury of twelve freeholders, to make a valuation of the said claim, and to assign, in satisfaction thereof, such and so many of the city lots, that may be unappropriated, as will, in their estimation, be equal to such valuation, which valuation and assignment shall be returned to the said judges, who shall, thereupon direct the prothonotary to grant a certificate thereof, under the seal of the court, to the party interested, and, upon such certificate, it shall and may be lawful for the governor to direct the surveyor general to lay out the same, and to grant a patent or patents therefor, but if no such unappropriated lots can be found, a certificate shall be granted, for the amount of such valuation, to

the party (in whose favor the same shall have been made) agreeably to the provisions of the second section of the "Act to provide for the settlement of public accounts, and for other purposes therein mentioned"¹ passed on the fourth day of April, one thousand seven hundred and ninety-two, but, if the determination of the said judges shall be against the claim of such petitioner, or petitioners, the same shall be forever barred. Provided always, That no such petition shall be received, or acted upon, by the said judges, unless the same be presented to them, or filed with the prothonotary, within twelve months from and after the passing of this act, unless it shall be first shown to the said judges that the party or parties interested therein were prevented from so presenting the same by some legal disability, in which case it may be received and acted upon, at any time within twelve months after the removal of such legal disability, and that, nothing in this act contained shall be construed to prevent, or, bar, any suit against such patentee, or patentees, on behalf of any person, or persons, other than this commonwealth, touching or concerning any of the lots, or the titles that may be so granted in pursuance of the provisions of this act.

Passed April 5, 1797. Recorded L. B. No. 6, p. 197, etc.

CHAPTER MCMLV.

AN ACT TO AUTHORIZE THOMAS PROCTOR TO COMMENCE A SUIT AGAINST THIS COMMONWEALTH UPON CERTAIN CLAIMS WHICH HE HAS AGAINST THE SAME.

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in the General Assembly met, and it is hereby enacted by the authority of the same, That Thomas Proctor be, and he is hereby, authorized to commence an action on the case against this commonwealth, in the supreme court of common pleas for the county of Philadelphia, for the moneys claimed by him of

¹Chapter 1627.