

ty, 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 superintendant, 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 aforesaid, shall be void and of no effect whatever.

Sec. 4. *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That so much and no more of any act or acts, as are by this act altered and supplied, be and the same are hereby repealed.

Repeal of so much of former acts as is hereby altered or supplied.

SIMON SNYDER, *Speaker*  
of the House of Representatives.

ROBERT WHITEHILL, *Speaker*  
of the Senate.

APPROVED—the third day of April, in the year of our Lord one thousand eight hundred and four.

THOMAS M'KEAN, *Governor*  
of the Commonwealth of Pennsylvania.

## CHAPTER CXXI.

*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 1. **B**E it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly

*sembly 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, 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, 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, nor to the granting of any lands heretofore reserved or appropriated by law.

Applications of actual settlers for lands north and west of the Ohio, &c. to have equal effect with vacating warrants.

In actions between warrantees and actual settlers, the latter may plead and make proof of an improvement and residence, in like manner as if a vacating warrant had been obtained.

This act not to be construed so as to impair existing contracts, &c.

The Governor  
authorized to  
employ coun-  
sel, &c.

*Sec. 2. And be it further enacted by the au-  
thority aforesaid,* That the Governor be and  
he is hereby authorized to employ one or more  
able counsel, generally to attend to the inte-  
rests 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 suc-  
ceeding 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 trea-  
sury of this commonwealth: *Provided,* Such  
sum or sums do not exceed one thousand dol-  
lars; and that the appearance and attendance  
of council as aforesaid, shall not be so constru-  
ed as to acknowledge or give any further or  
additional power or jurisdiction, other than the  
courts have heretofore constitutionally posses-  
sed and exercised in the plea aforesaid.

SIMON SNYDER, *Speaker*

*of the House of Representatives.*

ROBERT WHITEHILL, *Speaker*

*of the Senate.*

APPROVED—the third day of April, in the  
year of our Lord one thousand eight hun-  
dred and four.

THOMAS M'KEAN, *Governor*

*of the Commonwealth of Pennsylvania.*