

1782.

Penalty for
offending
against this
act.

SECT. X. *And be it further enacted by the authority aforesaid,* That any person or persons, who shall offend against this act, and shall be thereof legally convicted, by the evidence of two sufficient witnesses, in any court of Oyer and Terminer within this commonwealth, he or they shall be adjudged guilty of high treason, and shall suffer death; and his or their estate is hereby declared to be forfeited to this commonwealth.

Council en-
abled to call
out the mili-
tia to sup-
press offen-
ces against
this act.

SECT. XI. *And in order the more effectually to prevent the mischiefs, which this act is intended to guard against and remedy, Be it enacted by the authority aforesaid,* That the Supreme Executive Council shall be, and they are hereby, enabled to call out the militia of such counties, as they may think necessary to prevent or suppress any attempts to set up a new and independent government, in any county or counties within the boundaries of this commonwealth, as above mentioned.

Passed 3d December, 1782.—Recorded in Law Book No. II. pa. 33.

(e) Respecting high treason in general, see ante. vol. I. pa. 435, chap. 729, and the notes thereto subjoined.

CHAPTER DCCCCXCVI.

An ACT for the sale of certain lands therein mentioned, for the purpose of redeeming and paying off the certificates of depreciation given to the officers and soldiers of the Pennsylvania line, or their representatives; and for appropriating certain other lands therein mentioned for the use of the said officers and soldiers, to be divided off to them severally at the end of the war. (f)

SECT. I. **WHEREAS** it was enacted by a law of this commonwealth, passed the eighteenth day of December, in the year of our Lord one thousand seven hundred and eighty, entitled "An act to settle and adjust the accounts of the troops of this state, in the service of the United States, and for other purposes therein mentioned," That the certificates of depreciation given to the officers and soldiers of the Pennsylvania line should be receivable at the Land-Office of this state, equal to gold and silver, in the payment of the purchase money of unlocated lands, if the possessor or possessors of the same should think proper to purchase such lands.

Description
of the land
appropriated
for the

SECT. II. *Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General assembly met, and by the authority of the same,* That for the more speedy and effectual complying with the intentions of the law aforesaid, there be, and hereby is, located and laid off a certain tract of land, as follows; beginning where the western

(f) By an act of the 24th of March, 1785, the mode of distributing the donation lands mentioned in the fifth section was prescribed; by an act of the 11th of September, 1787, the Executive was directed to lay out a town, and

sell the lots in the first reserved tract; and by an act of the 28th of Sept. 1791, the Governor was directed to lay out a town, and sell the lots in the second reserved tract, mentioned in the second section of this act. (Note to former edit.)

boundary of this state crosses the Ohio river; thence up the said river to Fort-Pitt; thence up the Allegheny river to the mouth of Mogulboughtiton creek; thence by a west line to the western boundary of this state; thence south by the said boundary to the place of beginning; reserving to the use of the state three thousand acres, in an oblong of not less than one mile in depth from the Allegheny and Ohio rivers, and extending up and down the said rivers, from opposite Fort Pitt, so far as may be necessary to includethe same; and the further quantity of three thousand acres on the Ohio, and on both sides of the mouth of Beaver creek, including Fort Mackintosh;* all which remaining tract of land, as aforesaid, is hereby appropriated as a farther fund for the purpose of redeeming the certificates aforesaid, and shall, for that purpose, be laid out and disposed of as follows; that is to say, the Surveyor-General of this state shall, according to such directions as may be given to him by the Supreme Executive Council, cause the aforesaid tract of land to be laid out into lots of not less than two hundred acres, nor more than three hundred and fifty acres each, numbering the same lots numerically on the draught or plot of the country aforesaid; and shall, as soon as the same, or one hundred lots thereof, are surveyed, together with the Secretary of the Land-Office and the Receiver-General, proceed to sell the same lots in numerical order, at such times and places, and under such regulations, as shall be appointed by the Supreme Executive Council; the full consideration bid at such sales shall be paid into the Receiver-General's office, either in gold or silver, or in the certificates aforesaid; upon full payment of which consideration, and the expense of surveying, together with all fees of the different offices, patents shall be issued in the usual form to the several buyers or vendees; and the different sums in specie that may be paid into the Receiver-General's office, shall be paid over by him to the treasury of this state, for the purpose of redeeming such certificates as may remain unsatisfied at the end of such sales.

1782.
redemption
of the de
preciation
certificates.

*See title
Beaver
County in
the General
Index.

SECT. III. *And be it further enacted by the authority aforesaid,* That the allowance or pay for laying out and returning into the Surveyor-General's office the lands herein directed to be laid out and sold, including wages to chain-bearers and markers, and all other expenses incurred in laying out and returning the same for each lot, shall be the sum of three pounds ten shillings, which shall be paid in specie by the owners or purchasers of said lot or lots, before a patent shall be issued for the same.

Allowance
for laying
out the lots.

SECT. IV. *And whereas the General Assembly of this commonwealth did, by their resolve of the seventh day of March, in the year of our Lord, one thousand seven hundred and eighty, promise to the officers and privates belonging to this state, in the federal army, certain donations and quantities of land, according to their several ranks, as therein set forth, to be surveyed and divided off to them severally at the end of the war:*

SECT. V. *Be it enacted by the authority aforesaid,* That for the purpose of effectually complying with the letter and intention of said resolve, there be, and it is hereby declared to be located and laid off, a certain tract of country, beginning at the mouth of

Donation
district ap-
propriated,
in pursuance
of the resolve
of the 7th

1783.

Mogulboughtiton creek; thence up the Allegheny river to the mouth of Cagnawaga creek; thence due north to the northern boundary of this state; thence west, by the said boundary, to the north-west corner of the state; thence south, by the western boundary of the state, to the north-west corner of lands appropriated by this act for discharging the certificates herein mentioned; and thence by the same lands east to the place of beginning; which said tract of country shall be reserved and set apart for the only and sole use of fulfilling and carrying into execution the said resolve. (*g*)

March,
1780.
[See vol. I.
chap. 869,
sect. 7.]

Former im-
provements
on the ap-
propriated
district
null and
void.

SECT. VI. *And be it further enacted by the authority aforesaid,* That no improvement, location, warrant, grant, right, title or claim, whatsoever, made or procured by, from, or under any Indian nation, or nations of Indians, the late Proprietaries, or any other person or persons whatsoever, for or upon the lands contained within the limits of the two above described tracts of country or any part thereof, shall be valid, or of any effect, in law or equity, but the same shall be null and void, to all intents and purposes whatsoever.

Officers and
privates
entitled to
land, to
make appli-
cation with-
in two
years after
peace.

SECT. VII. *And be it further enacted by the authority aforesaid,* That all officers and private men entitled to land as aforesaid shall, and they are hereby directed to make their respective applications for the same within two years after peace shall be declared; (*h*) and should any of the said officers, non-commissioned officers, or private men, die before their respective applications shall be made, as before directed, then their heirs, executors or administrators, respectively, are hereby permitted to make such applications within one year after the expiration of the aforesaid time; and in case the said officers, non-commissioned officers, and private men, their heirs, executors or administrators, shall neglect so to do within the times limited as aforesaid, then, and in such cases, it shall and may be lawful for any person or persons whatsoever to apply to the Land-Office, locate and take up such parts or parcels of said lands, upon such terms as the Legislature shall hereafter direct; as may remain unlocated by the said officers, non-commissioned officers, and private men, their heirs, executors and administrators.

Officers, &c.
not to sell
their shares
of land, until
actually
surveyed.

SECT. VIII. *Provided always, and be it further enacted by the authority aforesaid,* That it shall not be in the power of the non-commissioned officers and private men or any of them, to grant, bargain or sell his or their share of the land hereby appropriated for their use, or any part thereof, until the same shall be actually surveyed and laid off, as aforesaid, and that every such sale or conveyance shall be absolutely null and void, to all intents and purposes.

Passed 12th March, 1783.—Recorded in Law Book No II. page 46.

(*g*) The mode of distributing the donation lands declared by an act of the 24th of March, 1785. (*Note to former edition.*)

(*h*) The period allowed for application has been extended by various acts, and by an act of the 6th of April,

1792, the officers of the Land-Office were directed to draw for those who had not applied; but the lands so drawn, which should remain unapplied for after the term of two years, are directed to be disposed of. See, likewise, the acts of the 13th day of Sep-

tember, 1791, and the 10th day of the state. See also the title *Donation* 1783. April, 1792, for the relief of the patentees in the 10th district, which was found to be out of the jurisdiction of land in the index. (*Note to former edition.*)

CHAPTER DCCCCXCIX.

An ACT incorporating the Presbyterian congregation of Newtown, in the county of Bucks.

Passed 12th March, 1783.—Private Act.—Recorded in Law Book No. II. page 51.

CHAPTER MV.

An addition and supplement to an act, entitled "An act for amending and continuing an act, entitled "An act for the support of the government of this province, making the excise on wine, rum, brandy, and other spirits, more equal, and preventing frauds in the collecting and paying the said excise." (i)

SECT. XXII. *AND be it further enacted by the authority aforesaid,* That, from and after the passing of this act, the rates of all tavern licences, exclusive of the fees of office, shall be double the sum at which they have been by law charged hitherto; and the clerks of the courts of Quarter Sessions are hereby enjoined and required to receive, from every person who shall be recommended as the law directs to keep a public house, a sum for every licence for that purpose, equal to double the sum which all such licences have been respectively rated at by law in the city of Philadelphia and the several counties of this state, and shall account for and pay over all such sums by them received, in the manner directed heretofore by law for receiving and paying over the same, any thing in any law heretofore made in anywise notwithstanding.

Rates of tavern licences to be double the sum at which they have been charged by law.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That if any person or persons shall hereafter retail and sell less than one quart of rum, wine, brandy, or other spirits, to be delivered at one time and to one person, without having first obtained licence agreeable to law for that purpose, he, she or they shall forfeit and pay, for every such offence, the penalty of ten pounds, over and above the excise for all such liquors by them retailed as afore-

Penalty on retailing less than one quart without licence.

(i) All the sections of this act, but those which are here printed, relate merely to the collection of the excise; and by an act of the 21st of September, 1791, (chap. 1571,) it is declared, that so much of every act or acts of Assembly, as authorize the collection of any duty or duties upon wine, &c. shall be, and are, repealed. The original act was passed on the 21st day of March, 1772; additional duties were laid by an

act of the 20th of March, 1783; and an act to enforce, among other things, the collection of monies due for excise, was passed on the 9th of December, 1783. For the act regulating tavern licences, see chap. 1752; and for a general reference to all the laws respecting tavern licences, see chap. 172, and the note there subjoined, ante. vol. I. page 74. (*Note to former edition.*)