

third part of the purchase money shall be paid at the time of sale to the commissioner attending, when the entry of sale is made, whose duty it shall be to certify the same; one third part to the Receiver-General of the Land-Office, within twelve months from the day of sale; and the remaining one third part within eighteen months from the day of sale; for the performance of which the purchasers, respectively, shall, at the time of sale, give bond for the payments of the said instalments to the said commissioners; and at the expiration of eighteen months aforesaid, the Governor is hereby authorized to grant patents to the purchasers, provided the purchase money is paid according to the sales. 1799.

SECT. V. *And be it further enacted by the authority aforesaid,* That those persons who have purchased any lot or lots in the second and third divisions of the town of Erie, may take lot or lots in the first division of said town, at the same price they purchased them at the former sales, and that all those who have paid for or improved any forfeited lot or lots shall have a pre-emption to said lot or lots, at the prices they sold for at former sales; provided he, she or they apply within three months after the passing of this act, and pay for the same.

How purchasers in the second and third divisions of Erie may change for lots in the first division.

SECT. VI. *And be it further enacted by the authority aforesaid,* That the commissioner at the town of Erie shall offer at public sale the lot of ground reserved in said town, at the mouth of Cascade creek, including the same, after giving three months notice in three of the public newspapers of this state, of the time and place of such sale, on the same conditions specified in the third section of this act; provided the same amounts to fifty dollars per acre.

The reserved lot at the mouth of Cascade to be sold.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the said commissioners, before they enter on the duties required by this act, shall give bond, with two good sureties, in a sum not less than five thousand dollars, to the Governor, each, conditioned for the true and faithful performance of their respective trusts, and shall receive three cents on every dollar received and contracted for, which shall be in full for all their services, and the persons appointed by the court to assist each commissioner to appraise the town and out-lots shall receive two dollars each per day, which shall be in full for all their services.

Official bonds, and compensation of the commissioners.

Passed 11th April, 1799.—Recorded in Law Book No. VII. page 24.

CHAPTER MMLXX.

An ACT to extend the period heretofore allowed for applying for donation lands, and to regulate the mode for authenticating claims thereto.

[See vol. 2... pa. 290, (chap. 1123,) and the notes thereto.]

SECT. 1. [EXTENSION of the time for applying for donation lands. 2. Proceedings to render and allow claims. 3. Land officers to advertise and draw lots for claimants. Obsolete.]

SECT. IV. *And be it further enacted by the authority aforesaid,* That on the first day of May, in the year one thousand eight hundred, the powers herein given shall cease, no lots for donation lands

Limitation of the powers given by this act.

1799. shall afterwards be drawn, and the residue of the land heretofore by law appropriated for satisfying claims to donation lands shall revert to the commonwealth, and be disposed of in such manner as shall be directed by law in relation to other lands, the property of the state.

Passed 11th April, 1799.—Recorded in Law Book No. VII. page 3.

CHAPTER MMLXXI.

An ACT to declare Fishing creek, and one of its branches, in the county of Northumberland, public highways.

SECT. I. *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* from and after the passing of this act, Fishing creek, in the county of Northumberland, from the mouth up to the main fork thereof, and that branch commonly called Little Fishing creek, from the mouth to John Eves's mill, shall be, and the same are hereby declared to be public highways, for the passage of boats and rafts, under the limitations and restrictions herein specified; and it shall and may be lawful for the inhabitants, desirous of using the navigation of said creek, to remove all natural and artificial obstructions, from the mouth thereof up the main fork, and that branch called Little Fishing creek up to John Eves's mill aforesaid, and to erect such slopes or locks at the mill-dams now built, as may be necessary for the passage of boats, rafts and fish; provided such slopes or locks shall be so constructed, as not to injure the works of said dams.

Fishing creek and Little Fishing creek declared highways;

and provision made for removing obstructions.

SECT. II. *And be it further enacted by the authority aforesaid, That* nothing in this act contained shall be deemed, taken or understood to prevent any person or persons, possessing lands on the said creeks, or either of them, who, before the passing of this act, had authority under the laws of this commonwealth to erect a dam or dams, from erecting such dam or dams: *Provided always, That* such dam or dams be so constructed, and kept in repair by the owners thereof, with complete slopes and locks on convenient parts of such dams, as that the navigation for boats and rafts, and the passage of fish, will not be injured thereby.

The rights of owners of lands to erect dams preserved.

Passed 11th April, 1799.—Recorded in Law Book No. VII. page 2.

CHAPTER MMLXXII.

An ACT empowering certain trustees therein named, to sell and dispose of a certain tract of land, situate partly in Upper and partly in Lower Mount-Bethel townships, in the county of Northampton, and to appropriate the monies arising from the sale thereof for the purposes therein mentioned.

SECT. 1. [THE premises occupied as a parsonage, &c. by the Presbyterian congregation of Lower Mount Bethel, in Northamp-