

soever had, made, suffered or done under the said act of assembly shall be deemed as valid and effectual in the law to all intents and purposes as if the said error or mistake had not been made.

Passed March 16, 1780. Recorded L. B. No. 1, p. 365, &c.

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CHAPTER DCCCXCVI.

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AN ACT TO PREVENT TRESPASSES AND WASTE FROM BEING COMMITTED UPON THE LANDS OF ABSENT PERSONS, AND UPON VACANT AND UNAPPROPRIATED LANDS.

(Section I, P. L.) Whereas divers disorderly persons have, of late entered upon the lands of persons residing beyond the sea or without the bounds of this state, and upon lands out of the possession of any particular person, and upon lands reputed to be vacant or unappropriated under pretence of certain claims and rights or otherwise and have committed great trespasses and waste thereon by felling of timber:

(Section II, P. L.) And whereas it is likely that some of the lands aforesaid are the proper estate of the commonwealth, and those belonging to absent persons ought in this time of war, when intercourse with Europe and other foreign countries is much interrupted, to be preserved from the trespasses and waste aforesaid:

[Section I.] (Section III, P. L.) 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 if any person or persons whatsoever under pretence of any claim or right derived from the late proprietaries or without any title shall enter upon the lands of any person or persons residing beyond seas, or without the bounds of this state or upon lands out of the possession of any particular person or upon lands which are vacant or unappropriated, or reputed to be vacant or unappropriated

and shall commit any trespass or waste thereon, every person so offending, his or her aiders and abettors shall not only be liable to the owner or owners of such land or to the commonwealth for treble damages as tenants committing waste for such trespass and waste but, moreover, shall be guilty of a misdemeanor and upon conviction thereof shall be fined and imprisoned at the discretion of the court [of quarter sessions or other court] wherein such conviction shall be had.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That for and during the continuance of this act no surveyor or other person shall presume to measure, survey or locate any right or claim to land as aforesaid unless he be authorized so to do by the special license of the president or vice-president in council under the less seal, who, upon due proof of the equity thereof, may grant the same, and every survey, location or appropriation of land made without such license be first obtained, and unless a return of the survey thereupon made shall be made into the office of the secretary of the supreme executive council within six months after the same shall be made shall be utterly null and void.

(Section V. P. L.) And in order to correct as far as may be the mischiefs which may have arisen or may arise to the commonwealth by clandestine surveys and undue appropriations of vacant or waste lands made since the fourth day of July, which was in the year of our Lord one thousand seven hundred and seventy-six:

[Section III.] (Section VI, P. L.) Be it enacted by the authority aforesaid, That no survey or appropriation of vacant or unappropriated lands which has been made within this state since the fourth day of July, which was in the year of our Lord one thousand seven hundred and seventy-six, shall be available in law or equity or shall be considered as vesting any estate in such land unless the date and other particulars of the same, together with a clear description of the right or claim upon which it was made shall be entered in the office of the secretary of the supreme executive council within the times hereinafter limited; That is to say, in case such survey has been made in the counties of Bedford, Northumberland or Westmoreland be-

fore the first day of January next, and in case such survey has been made in any other county before the first day of November next.

[Section IV.] (Section VII, P. L.) Provided always, and be it further enacted by the authority aforesaid, That such entry in the office of the said secretary shall not give and [sic] [any] relief or benefit to any person to which he or she was not entitled before the passing of this act.

[Section V.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That this act shall continue and be in force for and during nine months and from thence to the end of the next session of the general assembly and no longer.

Passed March 17, 1780. Recorded L. B. No. 1, p. 366, &c.

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## CHAPTER DCCCXCVII.

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AN ACT TO RENDER THE REVENUE ARISING FROM THE EXCISE ON WINE AND SPIRITS AND ON LICENSES TO BE GRANTED TO PUBLIC HOUSES EFFECTIVE AND EQUAL TO THE PUBLIC NECESSITIES.

(Section I, P. L.) Whereas, in and by an act of assembly of the late province of Pennsylvania, passed in the year of our Lord one thousand seven hundred and fifty-six it was directed that an excise should be levied, collected and paid throughout the said province for the purposes therein mentioned, for all rum, brandy and other spirits sold, drawn, shared or bartered by any person or persons whatsoever, in any quantity under seventy gallons and for all wines sold, drawn, shared or bartered by any person or persons whatsoever under the quantity of one hogshead; such quantities to be delivered at one time and to one person at anytime from and after the first day of October, which was in the year of our Lord one thousand seven hundred and fifty-six, for and during the space of ten years then next following, and for so long after as should be necessary to answer the purposes for which the said excise was appropriated, at the rate of four pence per gallon and so proportionably