

(Section IX, P. L.) Provided always, That nothing hereinbefore contained shall be construed to authorize the said corporation to exercise any powers in this state repugnant to the laws or constitution thereof.

[Section VIII.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the said corporation shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall think proper, and the same to break, alter and renew at their pleasure.

[Section IX.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That this act shall be construed and taken most favorably and beneficially for the said corporation.

Passed April 1, 1782. Recorded L. B. No. 1, p. 484, etc. The Act in the text was repealed by the Act of Assembly passed September 13, 1785, Chapter 1178, and was revived by the Act of Assembly passed March 17, 1787, Chapter 1278.

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#### CHAPTER CMLXIV.

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AN ACT TO VEST CERTAIN POWERS IN THE PRESIDENT OF THIS STATE, TOGETHER WITH THE OTHER OFFICERS THEREIN NAMED, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas many delays have been occasioned in transacting the business of the land office of this state by reason of doubts which remained with the different officers, touching their power of determining many controversies on caveats, which stand undetermined on the books of said office, as well as a great variety of other cases touching escheats, warrants granted to agree, rights of pre-emption, promises and other imperfect titles:

(Section II, P. L.) For remedy whereof:

[Section I.] Be it enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That the president or vice-president and a member of the supreme executive council, appointed by the council for that purpose, together with the secretary of the land office, the receiver-general

and the surveyor-general for the time being, shall be a board of property, to hear and determine in all cases of controversy on caveats in all matters of difficulty or irregularity, touching escheats, warrants on escheats, warrants to agree, rights of pre-emption, promises, imperfect titles or otherwise which heretofore have, or hereafter may, arise in transacting the business of the said land office. And the secretary of the land office is hereby empowered and directed to receive and enter caveats in his said office, copies whereof to be transmitted to and entered in the surveyor-general's office; and the said secretary of the land office, shall with the approbation and consent of the president or vice-president, appoint days of hearing, and shall grant citations, at the reasonable request of any party or person applying for the same, or otherwise, as the case may require, for which said services they, the said officers of the land office, shall take and receive such fees only as were customary at the former board of property.

(Section III, P. L.) Provided always nevertheless, That no determination of this board of property shall be deemed, taken or construed to extend, in any measure whatever, to the preventing either of the parties from bringing their action at the common law, either for the recovery of possession or determining damages for waste or trespass, but the courts of law shall remain open to the said parties in as full and ample manner as if no determination had ever been given.

(Section IV, P. L.) And whereas, it was enacted by the sixth and seventh sections of a law of this state, passed the ninth day of April last, entitled "An act for establishing a land office and for other purposes therein mentioned,"<sup>1</sup> that in cases where any office right issued before the tenth day of December, one thousand seven hundred and seventy-six, had not been executed, that the owner or owners should make application within one year, and pay a third part of the purchase money, to the receiver-general, before any survey shall be made; and that all payments for lands taken up on any office right whatever shall be made, one-fourth part in one year, another fourth part in two years, another fourth part in three years, and the residue

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<sup>1</sup> Passed April 9, 1781, Chapter 940.

in four years from the passing of the said act, which respective times or periods are found, on experience and reflection, much too short for the purpose aforesaid:

[Section II.] Be it therefore enacted by the authority aforesaid, That the said respective times and periods are enlarged over and above the dates and times mentioned in said act for the space of two years.

(Section V, P. L.) And whereas, it was enacted by the ninth section of the law aforesaid, that all lands within this state, heretofore surveyed under any grant, warrant, location or other office right, shall be returned into the surveyor-general's office (if not already returned) in the space of nine months after passing the said act, which time is already expired, and it is found that very few have called on the late deputy surveyors for their drafts, or to discharge the fees due on the same, and a literal observance of the said act would involve not only the late deputy surveyors, but the owners of lands in manifest loss and inconvenience:

[Section III.] Be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the surveyor-general of this state to receive returns of such surveys as shall appear to him to have been faithfully and regularly made, from the said late deputy surveyors, their heirs or legal representatives, for such further period as to him shall seem just and reasonable. And that there shall no action, loss or damage accrue to any person or persons by reason of neglect in complying with the aforesaid clause or section before the passing of this act.

(Section VI, P. L.) And whereas, the receiver-general of the land office formerly received a salary from the late proprietaries of Pennsylvania and no fees were annexed to his office. In order, therefore, for the support of the present receiver-general:

[Section IV.] Be it enacted by the authority aforesaid, That the receiver-general shall, for his trouble and expenses, have and receive fees as follows, viz.:

For every search in his office, one shilling and six pence.

For receiving, booking and giving a receipt for any sum on account, in part, two shillings and six pence.

For every copy of account, or other transcript from the books, one penny per line.

For office seal and certificate, two shillings and six pence.

For final settlement, calculation, closing the account, receiving the money, and giving a receipt, including necessary searches, seventeen shillings and six pence.

For a certificate to the supreme executive council of moneys paid previous to the execution of a patent, two shillings and six pence.

Which said fees shall be in full of all dues or demands by him to be made, in any cases whatsoever.

(Section VII, P. L.) And the aforesaid sixth, seventh and ninth sections of the law aforesaid, so far as respect the periods and times in the same respectively mentioned, and no further, are hereby altered and repealed.

Passed April 5, 1782. Recorded L. B. No. 1, p. 482, etc. See the Acts of Assembly passed April 1, 1784, Chapter 1094; September 16, 1785, Chapter 1180; January 8, 1791, Chapter 1522.

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## CHAPTER CMLXV.

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### AN ACT FOR GUARDING AND DEFENDING THE NAVIGATION IN THE BAY AND RIVER DELAWARE, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas, the trade of this state hath of late been much annoyed by the privateers and boats of the enemy cruising in Delaware bay, and the neighborhood thereof, whereby many vessels have been captured, as well of those going out and returning from sea, as of the bay and river craft plying between the city of Philadelphia and the states of New Jersey and Delaware, to the great loss of many individuals, and the manifest injury of the trade of this commonwealth:

(Section II, P. L.) And whereas, it is expedient and necessary that an armed force should be provided and supported, to protect and facilitate commerce by guarding and defending the