

[Section I.] (Section II, P. L.) Be it 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 the island situated in the Ohio river below Pittsburgh known by the name of Montour's island and every part thereof be and the same is hereby granted unto the said William Irvine in fee, to have and to hold the same unto him, his heirs and assigns forever; subject to such purchase money as a future house of assembly may direct.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the supreme executive council be and they hereby are empowered to direct the surveyor general of this state at the proper cost and charge of the said William Irvine to lay out the said island and cause it to be returned into the office for confirmation.

[Section III. (Section IV, P. L.) Provided always, That nothing in this act shall be taken or deemed to bar any person or persons their heirs or assigns who may have obtained any just and lawful right to the said island or any part thereof before the passing of this act.

Passed September 24, 1783. Recorded L. B. No. 2, p. 176, etc. See the Act of Assembly passed March 28, 1799, Chapter 2036.

CHAPTER MXLVI.

AN ACT FOR THE AFFORDING INDEMNITY TO THOMAS HUTCHINS, ESQUIRE, FORMERLY A CAPTAIN AND ENGINEER IN HIS BRITANNIC MAJESTY'S SERVICE, AND NOW GEOGRAPHER TO THE UNITED STATES.

(Section I, P. L.) Whereas by a memorial from Thomas Hutchins, esquire, formerly a captain and engineer in his Britannic Majesty's service and now geographer to the United States, it appears that whilst he acted in the former character at the British port of Pensacola and settled the public account of that department, he, not being supplied with money, gave the artificers

employed on the public works certificates, in which he obliged himself to be responsible to them, whenever that government should furnish him with money for the purpose of discharging their respective accounts: And whereas it is set forth and asserted by the said Thomas Hutchins that the British government hath not furnished him with money for the purpose before mentioned:

[Section I.] (Section II, 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 no writ or action of civil process shall be brought or sued against him for or on account of moneys due from him to any person or persons on the certificates aforesaid until it shall appear that the British government hath furnished him with moneys for the discharge thereof agreeable to his engagements.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any such suit or action shall be brought against the said Thomas Hutchins it shall be lawful for the court out of which such writ hath issued or the justice who may have issued any summons or warrant against the said Thomas Hutchins for or on account of any certificate or certificates given as aforesaid, and they are hereby respectively required to quash such writ, summons or warrant, as the case may be on the return thereof, and order the plaintiff to pay the costs of such writ, warrant or summons provided the said Thomas Hutchins first makes it appear to the satisfaction of the court out of which the writ issued or to the satisfaction of the justice who may have issued the warrant or summons that the said process hath issued on account of any certificate or certificates given as aforesaid by the said Thomas Hutchins.

Passed September 24, 1783. Recorded L. B. No. 2, p. 177, etc.