

for and during the term of one year the said prothonotary shall pay only the sum of two shillings and six-pence instead of five shillings and seven-pence, any act of assembly of this state to the contrary in anywise notwithstanding.

Passed March 30, 1790. Recorded L. B. No. 4, p. 89.

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## CHAPTER MDV.

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AN ACT TO REPEAL AN ACT ENTITLED "AN ACT FOR ASCERTAINING AND CONFIRMING TO CERTAIN PERSONS CALLED CONNECTICUT CLAIMANTS THE LAND BY THEM WITHIN THE COUNTY OF LUZERNE AND FOR OTHER PURPOSES THEREIN MENTIONED." <sup>1</sup>

(Section I, P. L.) Whereas an act of assembly enacted the twenty-eighth day of March one thousand seven hundred and eighty-seven entitled, "An act for ascertaining and confirming to certain persons called Connecticut claimants the lands by them claimed within the counties of Luzerne and for other purposes therein mentioned,"<sup>2</sup> hath been found in its principles and operations to be unjust and oppressive in as much as it divested many citizens of this state of their lands without their consent and without making them any just compensation:

And whereas depriving individuals of their property in such a summary way is unconstitutional and of the most dangerous consequence:

And whereas said act was enacted by the legislature hastily without due consideration had and proper information of the magnitude of the grant:

And whereas carrying said act into effect would impose a grievous burden on the good citizens of this state to make compensation to those who would thereby be divested of their property:

And whereas the reasons set forth in the preamble of said act do not appear to warrant any legislative interference or departure from the established rules of justice in respect to private property nor hath had the effect proposed:

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<sup>1</sup> Chapter 1285.

<sup>2</sup> Ante.

[Section I.] (Section II, P. L.) Be it therefore 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 act entitled, "An act for ascertaining and confirming to certain persons called Connecticut claimants the lands by them claimed within the county of Luzerne and for other purposes therein mentioned,"<sup>1</sup> be and the same is hereby repealed and all proceedings had under said act are hereby rendered void and declared to be null and of no effect and all titles and claims which might be supposed to be affected by said act are hereby revested in the former owners in as full and ample a manner as if the said had never been enacted anything in the same to the contrary notwithstanding.

And whereas it has been represented to this house that judgment has been obtained in sundry actions of ejectment brought in the court of common pleas for the county of Northumberland for sundry tracts of land now lying within the county of Luzerne at the suit of persons claiming under titles derived from the late Proprietaries of Pennsylvania in which judgment by default has been recovered by persons holding such lands by virtues of rights or titles derived from or under the state of Connecticut and it is right and just that the defendants in such actions should not be dispossessed without a trial by jury.

[Section II.] (Section III, P. L.) Be it therefore enacted by the authority aforesaid, That no writ or writs of scire facias or habere facias possessionem shall issue from the said court to revive such judgments or to carry them into effect, but original [suits] in ejectment for recovery of any such tracts of land within the said county may be brought at the suit of such Pennsylvania claimants or any of them.

Passed April 1, 1790. Recorded L. B. No. 4, p. 96.