

## CHAPTER MMCLXXXVII.

AN ACT TO COMPLETE THE BENEVOLENT INTENTION OF THE LEGISLATURE OF THIS COMMONWEALTH, BY DISTRIBUTING THE DONATION LANDS TO ALL WHO ARE ENTITLED THERETO.

Whereas, some of the late officers and soldiers belonging to the Pennsylvania line, in the Revolutionary War, have not received their donation lands. And whereas it hath been represented that amongst the lots in the tenth donation district, which the owners have released as being in the state of New York and for which they have received other lots in lieu thereof, many are still in Pennsylvania, and also that a number of the lots may yet be found within the bounds of the donation surveys, not numbered or returned as donation lots, nor otherwise appropriated: Therefore,

Section I. (Section I, P. L.) 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 it shall be the duty of the land officers to ascertain the number of donation lots returned of each description, which yet remain undrawn and not otherwise appropriated; or which having been drawn, have not been applied for in the time prescribed by law; and cause numbers corresponding with each lot of the several descriptions, according to the quantity of land allowed to each grade of officers, non-commissioned officers and privates, to be made on separate pieces of paper, as nearly of the same size as may be, which pieces of paper shall be put carefully into small boxes, equal to the number of different grades which may be yet unsupplied; and on application of each person for their respective donation, the said land officers, after being satisfied with the justice of his or her claim, shall cause the box containing the tickets representing the quantity of land to which such applicant may be entitled, to be shook, so as to mix the said tickets or pieces of paper, and shall draw, or cause to be drawn therefrom, one or more of the numbers so deposited as may be

necessary to complete the quantity which such applicant may be entitled to; and in like manner to proceed on each and every application, the person first applying, to be entitled to the first draft, and immediately after drawing, to proceed to issue a patent or patents for the respective lots so drawn, free of all expense except the enrolling fees. Provided always, that no lot to be drawn or patent to be issued in pursuance of this act shall interfere with or defeat any prior title which may have been acquired under the authority of any former law of this commonwealth.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the surveyor general be, and he is hereby authorized to direct a survey to be made at the expense of the state, in such manner as to ascertain with accuracy, all lots within the tenth donation district, which have been reported as having fallen into the state of New York, and as such released; and which may still be within the state of Pennsylvania, or in the triangle purchased from Congress, also to procure returns of all other lots which are indicated within the general drafts of any of the donation districts, and which are not otherwise appropriated; and also to divide large into smaller lots; which said released lots, or other lots, as soon as the surveys of them are made and returned, shall be made use of to supply the boxes mentioned in the foregoing section with a sufficient number of tickets to carry the design of this act completely into effect.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the board of property be, and they are hereby authorized to exercise the same powers relative to donation lands, which they are by law authorized to exercise in cases respecting other land within this commonwealth; and in all cases of difficulty or dispute between applicants under this law, and on the validity and propriety of the claim of each and every applicant, they are authorized to make the necessary enquiry, and decide.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That in order to enable the land officers, or board of property, to execute the duties imposed

upon them by this act, it shall be the duty of the secretary of the commonwealth, to deliver to the secretary of the land office and surveyor general, all books, papers, drafts or documents now in his office, relative to donation lands, returns of survey, general or connected drafts, maps or charts so received, to be deposited in the surveyor general's office, and all others of the said papers, books or documents, to be deposited in the office of the secretary of the land office; and when the whole donations shall be completely effected, the general drafts to be deposited in the rolls office, agreeably to the directions of a former law.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That upon satisfactory proof being made to the board of property, by the widow, heir or heirs of any deceased officer or soldier, it shall be the duty of said board to direct a patent or patents to issue in the usual way, in favor of such widow, heir or heirs, for such donation lands, and on the same conditions as the officer or soldier would, if living, be entitled to.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That no application for donation lands shall hereafter be admitted; and that no patent for such land, already applied for, shall be granted, unless such patent is demanded within one year after the passing of this act.

Approved April 2, 1802. Recorded L. B. No. 8, p. 104.

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## CHAPTER MMCLXXXVIII.

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AN ACT TO SETTLE THE CONTROVERSIES ARISING FROM CONTENDING CLAIMS TO LANDS WITHIN THAT PART OF THE TERRITORY OF THIS COMMONWEALTH, NORTH AND WEST OF THE RIVERS OHIO AND ALLEGHENY, AND CONEWANGO CREEK.

Whereas, by the ninth section of an act of the general assembly, passed the third day of April, one thousand seven hundred and ninety-two,<sup>(1)</sup> entitled "An act for the sale of the vacant lands within this commonwealth," it is enacted that no warrant or survey to be issued or made in pursuance of the