

and he is hereby entitled to and may and shall possess the aforesaid property, in as full a manner and to all intents and purposes, as if the said conveyances had been executed by the said Barbara: Provided always, that if at any time hereafter it shall appear that there are lawful heirs to the aforesaid property, then the said Daniel Sharp, his heirs, executors, administrators or assigns, or any of them, shall forthwith render up the said property to such proper heirs or their legal representatives, without any let or hindrance whatsoever.

Approved March 21, 1806. Recorded in L. B. No. 10, p. 333.

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## CHAPTER MMDCXC.

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### AN ACT FOR THE RELIEF OF ADAM KOCH.

Whereas it has been represented by petition supported by documents sufficiently satisfactory to this legislature, that Adam Koch, now an inhabitant of the county of Berks, entered into the late revolutionary war at its commencement, under the command of captain M'Clellan, in the ninth Pennsylvania regiment, commanded by colonel Nagle; that he was dangerously wounded in the head, at the battle of Brandywine by a musket ball, which entered below his right eye and passed out below his right ear; that he was afterwards hurt at the building of West Point Fort; and that the former injury periodically affecting his intellects, together with the latter increasing the infirmities of age, he is unable longer to support himself: And whereas it is but just and reasonable that a person thus injured in public service should be supported at public expense: 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 Adam Koch, be, and he is hereby entitled and allowed, to receive an annuity of forty dollars during his natural life, commencing on the first day of

July, one thousand eight hundred and five, and payable half yearly to him or his legal representative, for the use of the said Adam Koch, out of any unappropriated monies in the treasury of this commonwealth, on warrants drawn by the governor thereof.

Approved March 21, 1806. Recorded in L. B. No. 10, p. 333.

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## CHAPTER MMDCXCI.

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### AN ACT TO REGULATE THE PROCEEDINGS OF CERTIORARI, AND FOR OTHER PURPOSES.

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 no judge of any of the courts within this commonwealth, shall allow any writ of certiorari to remove the proceedings had in any trial before a justice of the peace, until the party applying for such writ shall declare an oath or affirmation, that it is not for the purpose of delay; but that in the opinion of the party applying for the same, the cause of action was not cognizable before a justice; or that the proceedings proposed to be removed are unjust and illegal, and if not removed will oblige the said applicant to pay more money to or receive less from his opponent than is justly due; a copy of which affidavit shall be filed in the prothonotary's office: Provided, that no judgment shall be set aside in pursuance of a writ of certiorari unless the same is issued within twenty days after judgment was rendered, and served within five days thereafter; and on execution shall be set aside in pursuance of the writ aforesaid, unless the said writ is issued and served within fifteen days after the execution issued.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That if any person shall hereafter remove the proceedings had before any justice of the peace by writ of certiorari, into any of the courts of this commonwealth, such court shall in no case set aside such proceedings for want of formality in the same, if it shall appear on the