

C H A P.
XLIV.

said general plot shewing and describing the part and quantity taken away by any elder survey or title, and representing also any well grounded contrary claims; and the said certificates and plots shall be examined by the examiner general; and the said commissioners and intendant are directed to be careful and diligent in their inquiry as to the true location of the lands sold, and of the interfering lands by which the same may be any way affected, and in their examination of the claims and pretensions which may affect the said lands sold, and the public interest therein; and where it shall appear to the said late commissioners, or any two of them, or to the said late intendant, that there ought to be any discount or allowance of any part of the purchase money for land sold by them respectively, and the interest thereon, they shall certify the same with the facts and reasons on which they ground their opinion to the chancellor, who may pass his order thereon, or if he sees cause, may farther inquire and proceed as if he was originally possessed of the matter by petition, and the chancellor may make such allowance as aforesaid, where it shall appear that the purchaser or any other person had an equitable title under the land-office terms of Pennsylvania, and the agreement between the said two late proprietors; and where any sale shall be certified by the late commissioners, or any two of them, or the intendant, making the sale, that the sale and purchase was a mere mistake, and that the purchaser can hold no part of the land really purchased, the chancellor shall order as equity requires; and the register in chancery shall be entitled to five shillings, and no more, on any order passed under this act, or on petition by virtue of any other act, to discharge the purchaser in whole or in part of his contract, and for all proceedings respecting it, unless there shall be summonses for, or an examination of, witnesses; and all orders passed under this act, shall have the same effect as those passed by the chancellor by virtue of the act ascertaining the mode of granting titles to the purchasers of certain confiscated property; and the purchasers of confiscated property shall have the like redress, after deed and conveyance, as they would have been entitled to before such deed and conveyance by virtue of this or the said act; and any purchaser as aforesaid, may also in manner aforesaid have the relief that justice may require where the land purchased is discovered to be under incumbrances not known at the time of the purchase, as subsisting leases, title to dower, and the like.

Chancellor
may grant
lands, &c.

III. **And be it enacted,** That the chancellor may grant any lands held under equitable title as aforesaid, where the office terms of Pennsylvania hath been complied with, and for which a grant ought therefore to have issued, in the same manner as he may by the said act for lands within this state granted by any late proprietary of Pennsylvania.

Commission-
ers, on affida-
vit, may stay
executions,
&c.

IV. **And,** whereas executions or other process may issue on the said bonds before the contract can be adjusted as aforesaid, and it would be unjust towards the debtors, and grievous to them to be compelled to pay more than is due on their contracts, **Be it enacted,** That on any of the said debtors making affidavit, that they do respectively believe that the whole or some part of the purchase money, mentioning the sum at the least, is not justly due, because as he believes he can take no benefit of the contract for want of title of the public in the land sold, or that a number of acres mentioned in the affidavit at least will be taken away by an elder title or purchase, or that he or some other person, naming him, hath, as he believes, an equitable title to such a number of acres at the least of the land purchased, complying with the office terms of Pennsylvania as aforesaid, as the case may be, the said late commissioners, or any one or more of them, or the late intendant, who sold the land, may stay the issuing or service of execution, or the bringing of suit, on the bond given by such debtor, as to the sum and interest they or he may think ought to be discounted or abated for the cause mentioned in such affidavit, for any time not exceeding six months.

No fees de-
mandable,
&c.

V. **And,** whereas many executions have improvidently issued on bonds taken under the consolidating act, and are or ought to be stayed without any expence to the debtors, **Be it enacted,** That no fees shall be demandable on any execution improvidently issued, and if any hath been received, the same shall be returned.

VI. **And**