

C H A P.
LXVI.

office of the western shore is hereby empowered and directed; on application of any of the above described landholders, and upon their producing their Pennsylvania patents, or authenticated copies, which shall be lodged in the land-office, to grant patent or patents for the lands expressed in such original grant or grants; and the person or persons thus receiving patents in exchange shall not be liable to pay any purchase or caution money, or be liable to any charge or demand whatsoever, except the common fees of office.

Chancellor to
determine dis-
putes, &c.

VIII. AND BE IT ENACTED, That the chancellor shall have full power and authority, before the title of the state is granted or conveyed, to determine, in a summary way, all disputes between purchasers of confiscated property, and, for his information, to cause surveys to be made and certificates to be returned, and to order witnesses to be summoned by the register of the land-office aforesaid, and to enforce obedience to such summon by attachment; and in case of dispute between any purchaser of confiscated property, before the state's title is conveyed as aforesaid, and any other person, the chancellor shall have full power and authority to hear, and determine the same as aforesaid; and if the chancellor shall be of opinion that the purchaser under the state can derive a right or title from the state to only part of the land purchased, and that the person or persons disputing such title have a right to part of the said land, then the chancellor shall issue a commission to five men of integrity and understanding, residing as near to the land as may be, and not interested in the dispute, or connected with the parties, to inquire, upon their oaths, what damage the purchaser from this state will sustain by the loss of such part of his purchase; and such commissioners shall, before they act, take an oath before some justice of the peace, well and truly, according to the best of their skill and knowledge, to determine what damage the purchaser aforesaid will sustain by loss of such part of his purchase, and the said commissioners shall ascertain, and under their hands certify, the damage aforesaid to the chancellor, who may, upon the certificate of any three of such commissioners, determine and adjudge the damage sustained by such purchaser by the loss of part of the purchase as aforesaid; and the chancellor shall, upon such his determination, cause a certificate to be made by the register in chancery of the damage determined by him to be sustained by such purchaser, and upon such certificate being produced by the purchaser to the treasurer of the western shore, he shall enter the sum certified as aforesaid to the credit of the bond given or to be given by the purchaser, or by any person or persons on his behalf, for the property sold, or if bond hath not been given or may not be given before such determination, then the damage aforesaid shall be deducted from the price agreed to be paid for such land, and in case the purchaser hath paid the whole of the purchase money, and a loss and damage may be determined and ascertained as aforesaid, the treasurer shall pay to the party, upon a certificate of the register in chancery, to be given as aforesaid, money equal to such damage out of any unappropriated money in the treasury, if the payment of the purchase was in money, or a certificate for the same of the same kind as paid, if the payment was made in certificates; and the chancellor shall have full power and authority, in all cases by him determined in pursuance of the authority given by this act, in his discretion, to order costs to be paid, and to enforce obedience to such order by attachment and commitment in case of non-payment.

C H A P. LXVII.

A Supplement to the * act, entitled, An act to authorise the issuing grants for the lands therein mentioned. Lib. TBH. No. A. fol. 730.

Passed 9th of
March, 1786.
* 1784, ch. 75.

Preamble.

WHEREAS by the last clause in the act, entitled, An act to authorise the issuing grants for the lands therein mentioned, it is enacted, that where surveys have been made to the westward of Fort Cumberland, under warrants granted between the twenty-second day of March and sixth of October, seventeen hundred and seventy-four, and the quantity expressed in the warrant has been exceeded, grants may issue on such surveys, where the quantity expressed in the warrant has not been exceeded above one fourth, and such excess shall be paid for to the treasurer of the western shore: And whereas surveys have been made to the westward of Fort Cumberland under warrants granted before the sixth of October, seventeen hundred and seventy-four, the quantity expressed in which has been exceeded above one fourth, and the whole caution money due on the certificates thereof hath been paid to the treasurer, under the act (a) allowing a longer time to compound on old certificates, and making further regulations respecting the sale of vacant lands, on or before the first of November, seventeen hundred and eighty-two, or under the act (b) allowing a longer time to compound on old certificates, on or before the first of July, seventeen hundred and eighty-three, and the proprietors of the said certificates cannot in such cases obtain patents, to the great injury of the said proprietors,

(a) April, 1782, ch. 38.

(b) November, 1782, ch. 5.