

An Act for offering compensation to the Pennsylvania claimants of certain Lands within the
several Townships in the County of Luzerne and for other purposes therein mentioned

Section I. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general Assembly met & it is hereby enacted by the authority of the same that Isaac Hutton of Chester County, Thomas Bonds of Lancaster County and General William Brown of Cumberland County be and they are hereby appointed Commissioners whose duty it shall be carefully to examine and ascertain the quantity, quality and situation of all Lands lying within said Towns & have been commonly called and known by the name of the seventeen Townships in the County of Luzerne laid or claimed under a Pennsylvania title, under a patent or a location or a warrant before the State of Trenton by which the right of jurisdiction was declared to be in Pennsylvania, so which a Survey has been executed and returned according to Law, and to divide the same according to their value into four classes, distinguishing by the name of the first second third and fourth class, the first class to contain the Lands of the greatest value and the second third and fourth class those of inferior value, preserving a due proportion between each and shall adjust what sum & there with Pennsylvania claimant shall receive not exceeding the rates herein after mentioned. Provided always that nothing herein contained shall authorize the said Commissioners to proceed to the performance of the duties enjoined upon them by this act until persons claiming Land to the extent of forty thousand acres under grants made by Pennsylvania shall have conveyed & returned the same to the State by Deeds duly executed and filed in the Land Office for the purpose & other considerations expressed in this Act, and until persons commonly called Connecticut Settlers claiming Land to the extent aforesaid, shall have signed in writing under their hands & seals duly executed in the presence of two witnesses and filed in the Land Office that they will submit to and abide by the determination of the said Commissioners. And provided that if part of the said Land but not to the extent aforesaid shall have been returned, or if the Connecticut claimants to the extent aforesaid shall not make their submissions according to the provisions herein contained, then such releases as shall have been made by Pennsylvania claimants as aforesaid shall be null and void, and the property which shall have been so as aforesaid released, shall vest and be held in the same manner as if this Act had not been passed. Provided also that the time of the respective Facts of Land, so as aforesaid submitted to the examination of the Commissioners, shall be the same as those bounding the original grants, & that the said Commissioners shall not examine any Land, but those which the Pennsylvania claimants shall have agreed as aforesaid to submit to their examination.

Section II. And be it enacted by the authority aforesaid, that to such of the aforesaid Pennsylvania claimants bearing title as aforesaid to Lands within value of the said classes, who shall comply with the conditions of this Act, such compensation shall be made as the said Commissioners shall award not exceeding the rates herein after set forth, in consideration to be paid as herein after directed, reasonable and bearing Interest, payable as herein in all payments to be made at the Land Office. That is to say, to those whose Lands shall be in the first class, a sum not exceeding five Dollars an acre, to those whose Lands shall be in the second class a sum not exceeding three Dollars an acre, to those whose Lands shall be in the third class a sum not exceeding one Dollar and fifty cents per acre and to those whose Lands shall be in the fourth class a sum not exceeding twenty five cents an acre. Provided always that nothing in this Act contained shall be construed to direct or empower the said Commissioners to include the whole of any one original Survey in any one class, except in their opinion the quality of the whole Tract will justify it, nor that they shall for the price of each Tract included in the same class, at one price & rate, except in their opinion such Tracts should be of equal value, but that the rate & price of the several Tracts arranged in the same class shall be according to their relative value.

Section III. And be it further enacted by the authority aforesaid that every Pennsylvania claimant who shall have conveyed and returned to the Commonwealth a return title as specified in this Act, shall on application to the board of property be entitled to receive a Ticket, directed to the Comptroller general stating the number of acres so returned & conveyed to the Commonwealth, and the class to which the said

Land

Land belongs, and also satisfying the amount awarded by the Comm^{rs} in favor of such Pennsylvania claimant, and the balance of principal and interest due from such Pennsylvania claimant to the Commonwealth on account of the original purchase money of such Land or Tracts which shall be submitted to the Auditor General and the Comptroller General, to share and deliver to such claimant one or more Certificates of the nature herein before specified, for the sum to which his compensation shall amount, after having deducted the principal & interest so due to the Commonwealth, and the said Comptroller General is hereby authorized & directed to issue such Certificates or Certificates accordingly, and to enter or cause such Certificates to be entered in the records of the Land Office, and all public moneys which shall come to the hands of the Auditor General is hereby appropriated to the payment of the said Certificates, and in case of dispute between Pennsylvania claimants before the issuing of the Certificates in pursuance of this Act, such dispute shall be decided by the Board of Property according to the general usage provided that their decision shall not prevent the party against whom it is made ^{from} presenting his claim in the Courts of Law as usual, and in case of an appeal from the decision of the Board of Property, the Certificates shall not expire until the dispute shall be decided.

Section IV. And be it further enacted by the authority aforesaid that no Pennsylvania claimant shall be entitled to compensation under this Act, who shall not make application to the Board of Property for that purpose within six months from the passing of this Act provided that if such claimant shall at the time of passing this Act be a free-born, under the age of twenty one years or out of the United States, one year shall be allowed for making such application from the time such claimant shall come to be a free-born, arrived at the age of twenty one years or return to some part of the United States.

Section V. And be it further enacted by the authority aforesaid that it shall be the duty of the said Comm^{rs} also to ascertain all the rights or lots within the said seven townships, which were occupied or acquired by Connecticut claimants, who were actually Settlers there after the time of the said decree at Trenton, and which rights or lots were particularly assigned to the said Settlers prior to the said decree, agreeably to the ~~recognition~~ ^{recognition} then in force among them, and to divide the said rights or lots into four classes to be distinguished in the manner herein before mentioned, according to their ~~value~~ ^{value} value, taking into consideration both the quality and situation, and make out Certificates therefor, with the draft of the Survey thereunto annexed, and in case the said original Settlers their Heirs or assigns shall make application to the Land Office at any time before the first day of January in the year of one thousand eight hundred & one and agree to pay to the Commonwealth by equal equal annual Installments at the rate of two Dollars per acre for Lands of the first class, at the rate of one Dollar & twenty Cents per acre for Lands of the second class, at the rate of fifty Cents & three for Lands of the third class, and at the rate of eight and one third Cents per acre for Lands of the fourth class, with Interest upon each installment till the same is paid, whereupon patents for Lands so certified, shall be issued from the proper Office, paying the legal fees for such patents, and also the surveying fee. Provided nevertheless that it is hereby expressly ordered that no patents shall issue to affect any Lands, the title whereof shall be in any person or persons claiming under Pennsylvania, until such person or persons have conveyed their title to the Commonwealth. And provided also that the Lands to be granted to any Connecticut claimants by virtue of this Act shall be mortgaged by such claimant or claimants for the payment of the principal & interest of the aforesaid installments due to the Commonwealth as aforesaid.

Section VI. And be it further enacted by the authority aforesaid that in case any Lands shall be conveyed to the Commonwealth by the aforesaid Pennsylvania claimants for which no application shall be made in manner herein before directed by Connecticut claimants, on or before the first day of January in the year one thousand eight hundred

8 one, it shall be sold at public sale in one or more lots at a less price, the Connecticut claimant the sum for the case it shall be proceeds to be of the Commonwealth, and who shall thereupon explain their application

Section VII.

claiming the persons and others of the said title under a joint that have she has not directly such joint title appears that an that such joint case said

Section VIII.

A said Comm^{rs} by of two from "to be by the to incapable to act a majority of the

Section IX.

shall keep a register in the Office of a be sworn or offer of this Act, and markers for the Surveyors, chair of the Comm^{rs} for compensation for and all Surveyors of the Surveyors

Section X.

be allowed & paid fifty Cents per respectively in

of such Pennsylvania
claimant to the Commission
shall be submitted to the highest
one or more Justices of the
Court, after having deducted
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to cause such Justices to come to
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and in case of disputes
of this Act, such disputes
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Justices shall not give notice

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of such claimant shall at the
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Here, it shall be lawful for the Governor or he is hereby required, to order such funds to be
sold at public Auction in the City of Philadelphia, giving six months notice of such sale
in one or more of the News papers of the said City provided the same shall not be sold
at a less price, than that at which the State has by this Act directed it to be offered to the
Connecticut claimants, and in case any of the Land so exposed to sale, should not sell for
the sum for the sum for which it was offered to the Connecticut claimants, then in such
case it shall be the duty of the Attorney General immediately thereafter to cause legal
process to be issued for dispossessing every such person of the Land so claimed & not sold by the
Commonwealth, excepting the case of Minors under twenty one years of age & persons beyond
Sea, who shall be allowed a further time of one year from the time the Land claimed by
them was exposed to sale as aforesaid, by themselves Guardians or Attorneys to make
their application and comply with the terms of this Act.

Section VII.

And be it further enacted by the authority aforesaid, that each person
claiming the provisions of this Act, shall prior to the Commission's closing & conducting such
persons Land by virtue of this Act, make Oath or affirmation, & such Oath or affirmation
of the said Commission's hereby authorized to administer, that here she does not claim
title under a joint right of the Pennsylvania claimants & of the Connecticut settlers, but
that here she holds exclusively under one or the other of the aforesaid rights, & that here she
has not directly or indirectly done or caused to be done any act or thing, to derogate or cancel
such joint title with a view of coming within the provisions of this Act. And if it shall
appear that any person claiming the provisions of this Act, holds by such joint title, or
that such joint title has been derogated or cancelled with the view aforesaid, then in that
case said person shall not be within the provisions of this Act.

Section VIII.

And be it further enacted by the authority aforesaid that each of the
said Commission's before he acts, shall take an Oath or affirmation before some Judge or Justice
of the peace that he will diligently, faithfully & impartially discharge the duties assigned
to him by this Act, and in case either of the said Commission's shall die or refuse or become
incapable to act, the Governor shall appoint a person to supply his place, and all acts by
a majority of the said Commission's shall be as valid as if they had all joined therein.

Section IX.

And be it further enacted by the authority aforesaid that the said Commission's
shall keep a regular account of their proceedings in a Book which shall be deposited by them,
in the Office of the Secretary of the Land Office, and they may appoint a Clerk who shall
be sworn or affirmed before them faithfully to register all their proceedings in pursuance
of this Act, and they may appoint a Surveyor or Surveyors, and employ chain-men &
markers for the purpose of such Survey, as they shall judge necessary, and the said
Surveyors, chain-men & markers shall be sworn before a justice of the peace or one
of the Commission's faithfully to perform their respective duties and shall receive a reasonable
compensation for their Services, to be paid by the said Commission's and paid by the Commonwealth,
and all Surveys made by direction of said Commission's, shall be by them returned to the Office
of the Surveyor General.

Section X.

And be it further enacted by the authority aforesaid that there shall
be allowed & paid out of the public Treasury to each of the said Commission's three Dollars &
fifty Cents per day and to their Clerk three Dollars per day for each day that they shall be
respectively employed in performing the duty required by this Act.

Section.

Section XI.

And be it further enacted by the authority aforesaid, that in cases of dispute between the Connecticut claimants they may elect to have the same decided by the said Court, or appeal before such decision to the Court of Common Pleas of the proper County, and a certificate from the Clerk of such Court, or from the Prothonotary of such Court of Common Pleas, before which Tribunal such decision may be had, certifying in which favour the same is adjudged, shall be good evidence to obtain a patent from the proper Office aforesaid.

Compromising Law.

Penn: & Con: Claimants

17 Townships