

22
An Act supplementary to an Act entitled "An Act to prevent intrusions on Lands within the Counties of Northampton, Northumberland & Luzerne" passed the 11th April 1798.

Section I. Be it enacted by the Senate & House of Representatives of the Commonwealth, in general assembly met, and it is hereby enacted by the authority of the same, That in all Judgments, Indictments, or prosecutions for taking possession of, entering, intending or settling on, any Lands founded on the Act to which this Act is supplementary, proof that the person indicted entered into, intended, settled on, or was in possession of, the said Land, before the time of finding said Indictment, shall be sufficient to convict such person of the offence charged in the Indictment, unless the said person indicted shall prove, that he or she entered upon, took possession of, or settled or was on such Land before the time of the passing of the said Act to which this is supplementary, or that he or she had, at the time of his or her entering into, taking possession of, or settling on such Land, a good & bona fide title to such Land, derived from or under the Commonwealth, or the Proprietors of Pennsylvania, before the Revolution.

Section II. And be it further enacted by the authority aforesaid, That if any person shall be convicted of a second offence against the Act to which this Act is supplementary, or an Indictment for taking possession of, entering, intending, or settling on any Lands, such person upon conviction, shall forfeit and pay the sum of five hundred Dollars, one half to the use of the County, and the other half to the use of the Inferior, and shall also be subject to such imprisonment, & hard labour, not less than six months nor exceeding two years, as the Court before whom such second conviction is had, in their discretion shall direct. And if any person shall be convicted as aforesaid, more than twice, the Court before whom such subsequent conviction is had, may, in their discretion, adjudge that the person so convicted, shall be imprisoned at hard labour for any term not less than two years, nor exceeding seven years, & pay a sum not less than five hundred Dollars, nor more than one thousand Dollars, one half to the use of the County & the other half to the use of the Inferior.

Section III. And be it further enacted by the authority aforesaid, that the Governor shall be, & he is hereby, authorized & empowered to appoint an Agent, whose duty it shall be to make diligent inquiry into all offences committed, or to be committed against the Act to which this Act is supplementary, & also, for the purpose of making such inquiry, the said Agent, & all persons acting under his authority, shall have power to enter upon any Lands within the Counties of Northampton, Wayne, Northumberland, & Luzerne, and to do any acts necessary for ascertaining the said kind of Land, on which any Intruder lives, or any intrusion has been made. And the said Agent shall as quickly as possible & from time to time, send to the Attorney General, or his deputy in the proper County, a written account of the names of all offenders discovered by him, together with the names of the necessary witnesses, and the best information in his power or will enable necessary for prosecuting the offenders or any or either of them.

Section IV. And be it further enacted by the authority aforesaid, That from & after the passing of this Act, every male person above the age of twenty one year, who shall come to reside in this Commonwealth, within the Counties of Wayne, Northampton, Luzerne, Northumberland or Luzerne, shall, within three months from the time of his arrival within the limits aforesaid, deliver to the aforesaid Agent, or to the Constable of the Township, or to the Sheriff of the County in which he resides, or one of his deputies, a written declaration of his name & place of abode, and of the American State, or of the foreign Country in which he last resided, and also, whether he claims any, and if any, what Lands within the bounds of the Commonwealth under a title derived directly, or indirectly from or through the Colony or State of Connecticut, or the Delaware or Susquehanna Company; and every such person who shall not have delivered such declaration within the time aforesaid, shall be subject to the penalty of forty Dollars, one half to the use of the County, the other half to the use of the Inferior, to be recovered before any Justice of the peace, together with legal costs. And every Officer aforesaid, to whom any such declaration shall be delivered, shall return the same to the next Court of Quarter Sessions to be held in his County, under the penalty of one hundred Dollars for every default, to be recovered on conviction on Indictment, in any Court of Quarter Sessions, or of Oyer & Terminer to be held in the proper County, one half to the use of the Inferior, the other half to the use of the County; and the several Clerks of the Courts of Quarter Sessions shall carefully preserve, among their public papers, to be filed & recorded, all declarations delivered to them as aforesaid.

Section V. And be it further enacted by the authority aforesaid. That if any person shall resist or obstruct the aforesaid Agent, or any person acting under his authority, or under the authority of this Act, every person so offending, and every person who shall be accessory before or after the fact, or also those who shall conspire to resist or obstruct the said Agent, or any person acting under his authority, or under the authority of this Act, shall on conviction forfeit and pay, for every such offence, a sum, not exceeding one thousand Dollars, and shall also be subject to imprisonment, at hard labour, for any period, not more than seven years, as the Court in their discretion shall direct.

Section VI. And be it further enacted by the authority aforesaid, That in all actions of ejectment, hereafter to be brought in this Commonwealth, for any Lands to which any title or claim under the Colony or State of Connecticut, or under the Connecticut, Susquehanna or Delaware Company, is pleaded or drawn into question, the plaintiff may recover by way of damages, satisfaction for the means profits of the Lands recovered in any ejectment, down to the time of the entry of judgment in such ejectment.

Section VII. And be it further enacted by the authority aforesaid. That in all actions of trespass or tort, hereafter to be brought in this Commonwealth, wherein any title or claim under the Colony or State of Connecticut or under the Connecticut, Susquehanna or Delaware Company is pleaded or drawn into question, the plaintiff upon affidavit to be made by himself, or any person on his behalf, shall be entitled to hold the defendant to special Bail, for such sum as shall be directed by any Judge or Justice of the Court in which the Suit is brought.

Section

Section VIII. And be it further enacted by the authority aforesaid. That the Agent to be appointed in pursuance of this Act, shall hold his Office during the Governor's pleasure, and shall prior to his acting in his Office, take an Oath or Affirmation, that he will diligently & faithfully execute the duties of his Office; and the said Agent shall receive for his Services, a yearly compensation of one thousand two hundred Dollars, to be paid quarterly.

Section IX. And be it further enacted by the authority aforesaid. That in every such action commenced against the defendant shall at the first Term, put in his plea, specifying his title particularly, and if he shall fail or neglect to do, judgment shall be had against him as by default.

Section X. And be it further enacted by the authority aforesaid. That if it shall be made to appear to the satisfaction of the Governor, by the Oath or Affirmation of the said Agent, or of any persons persons acting under his authority, or of any other credible person or persons, that the said Agent or any person acting under his authority, has good reason to apprehend personal danger, in the course of the discharge of his duty under this Act; it shall be lawful for the Governor, and he is hereby directed, to order out a sufficient part of the Militia of this Commonwealth, for the protection of all persons acting under the authority of this Act; and the detachment so ordered out, shall receive the same pay and rations, and be subject to the same rules & regulations, as are provided in other cases.

Section XI. And be it further enacted by the authority aforesaid. That the Governor be and he is hereby authorized and directed to give his proclamation, forbidding all future invasion, and enjoining & requiring all persons who have intruded, contrary to the provisions of the Act to which this Act is supplementary, to withdraw peaceably from the Lands whereon such intrusions have been made, and enjoining & requiring all officers of Government, and all good Citizens of the Commonwealth, to prevent, or prosecute by all legal means, such intrusions & to render in their several capacities, the most prompt & effectual aid for carrying into full execution the provisions of this Act and the Act to which this Act is supplementary.

Section XII. And be it further enacted by the authority aforesaid. That it shall be the duty of the Justices of the several Courts of Common Pleas of the Counties of Northampton, Wayne, Northumberland, Luzerne and Luzerne, and they are hereby respectively enjoined & required, to read or cause to be read in open Court, this Act and the Act to which this Act is supplementary, at least once in each of the said Terms next after receiving it.

Section XIII. And be it further enacted by the authority aforesaid. That all expenses which may arise under this Act, shall be paid out of any unappropriated moneys which may be in the State Treasury, on Warrants drawn by the Governor for that purpose.

James Weaver jun?
Speaker of the House of Representatives
John Woods
Speaker of the Senate

Approved Feb 16. 1801

Thomas M. Mearns Governor of the
Commonwealth of Pennsylvania

gost

AN ACT to prevent intrusions on Lands within the Counties of Northampton, Northumberland & Luzerne

Section I. Be it enacted by the Senate & House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That if any person shall, after the passing of this Act, take possession of, enter, intrude, or settle on any Lands within the limits of the Counties of Northampton, Northumberland or Luzerne, by virtue or under colour of any conveyance of half share right, or any other pretended title, not derived from the authority of this Commonwealth or of the late Proprietors of Pennsylvania before the Revolution, such person, upon being duly convicted thereof upon Indictment in any Court of Oyer & Terminer, or Court of General Quarter Sessions, to be held in the proper County, shall forfeit and pay the sum of two hundred Dollars, one half to the use of the County, & the other half to the use of the Informer; & shall also be subject to such imprisonment not exceeding twelve months, as the Court, before whom such conviction is had, may in their discretion direct.

Section II. And be it further enacted by the authority aforesaid. That every person who shall combine or conspire for the purpose of conveying, possessing or settling on any Lands within the limits aforesaid, under any half share right or pretended title as aforesaid, or for the purpose of buying out Townships by persons not appointed or acknowledged by the Laws of this Commonwealth, & every person that shall be accessory thereto, before or after the fact, shall, for every such offence, forfeit and pay a sum not less than five hundred, nor more than

than one
and shall
in their de

Section III. And be
have been
as the said
them to any
of the Coun
to each regi
persons aff
the same, b
of such ven
County, in
with a copy
said Return
proper Coun
that there is
shall deem
into effect &
subject to the

Section IV. And
the proper
impartial,
the tenures

Section V. And
or other pe
and some
more than
any person

Section VI. And
contained
Counties of
read, or
after receiv
proclamation
Lands wh
and the go
afford the
Laws of th
to the cla
conferment
Luzerne,
hundred
considered
said Act,
to annex
other purp
validity a

Section VIII. And be it further enacted by the authority aforesaid, That the Agent to be appointed in pursuance of this Act, shall hold his Office during the Governor's pleasure, and shall prior to his acting in his Office, take an Oath or affirmation, that he will diligently & faithfully execute the duties of his Office; and the said Agent shall receive for his Services, a yearly compensation of one thousand two hundred Dollars, to be paid quarterly.

Section IX. And be it further enacted by the authority aforesaid, That in every such action commenced as aforesaid, the defendant shall at the first Term, put in his plea, specifying his title particularly, and if he shall fail or neglect to do so, judgment shall be had against him in by default.

Section X. And be it further enacted by the authority aforesaid, That if it shall be made to appear to the satisfaction of the Governor, by the Oath or affirmation of the said Agent, or of any persons persons acting under his authority, or of any other credible persons or persons, that the said Agent or any person acting under his authority, has good reason to apprehend personal danger, in the course of the discharge of his duty under this Act; it shall be lawful for the Governor, and he is hereby directed, to order out a sufficient part of the Militia of this Commonwealth, for the protection of all persons acting under the authority of this Act: and the detachment so ordered out, shall receive the same pay and rations, and be subject to the same rules & regulations, as are provided in other cases.

Section XI. And be it further enacted by the authority aforesaid, That the Governor be and he is hereby authorized and directed to give his proclamation, forbidding all future intrusions, and enjoining & requiring all persons who have intruded, contrary to the provisions of the Act to which this Act is supplementary, to withdraw peaceably from the Lands wherein such intrusions have been made, and enjoining & requiring all officers of Government, and all good Citizens of the Commonwealth, to prevent, or prosecute by all legal means, such intrusions & intruders, & to render in their several capacities, the most prompt & effectual aid for carrying into full execution the provisions of this Act and the Act to which this is supplementary.

Section XII. And be it further enacted by the authority aforesaid, That it shall be the duty of the Justices of the several Courts of Common Pleas of the Counties of Northampton, Wayne, Northumberland, Lycoming and Luzerne, and they are hereby respectively enjoined & required, to read or cause to be read in open Court, this Act and the Act to which this Act is supplementary, at least once in each of the four Terms next after receiving it.

Section XIII. And be it further enacted by the authority aforesaid, That all expenses which may arise under this Act, shall be paid out of any unappropriated moneys which may be in the State Treasury, on Warrants drawn by the Governor for that purpose.

June Weaver junr?

Speaker of the House of Representatives

John Woods

Speaker of the Senate

Approved Feb 16. 1801

Thomas M'Kean Governor of the Commonwealth of Pennsylvania

An Act to prevent intrusions on Lands within the Counties of Northampton, Northumberland & Luzerne

Section I. Be it enacted by the Senate & House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That if any person shall, after the passing of this Act, take possession of, enter, intrude, or settle on any Lands within the limits of the Counties of Northampton, Northumberland or Luzerne, by virtue or under colour of any conveyance of his share right, or any other pretended title, not derived from the authority of this Commonwealth or of the late Proprietaries of Pennsylvania before the Revolution, such person, upon being duly convicted thereof, upon Indictment in any Court of Oyer & Terminer, or Court of General Sessions of the Peace, in the proper County, shall forfeit and pay the sum of two hundred Dollars, one half to the use of the County, & the other half to the use of the Injurer: & shall also be subject to such imprisonment not exceeding twelve months, as the Court, before whom such conviction is had, may in their discretion direct.

Section II. And be it further enacted by the authority aforesaid, That every person who shall combine or conspire for the purpose of conveying, possessing, or settling on any Lands within the limits aforesaid, under any half share right or pretended title as aforesaid, or for the purpose of buying and Township by persons not appointed or acknowledged by the Laws of this Commonwealth, & every person that shall be accessory thereto, before or after the fact, shall, for every such offence, forfeit and pay a sum not less than five hundred, nor more than

than one hundred and shall be in their said

Section III. And be it further enacted by the authority aforesaid, That in every such action commenced as aforesaid, the defendant shall at the first Term, put in his plea, specifying his title particularly, and if he shall fail or neglect to do so, judgment shall be had against him in by default.

Section IV. And be it further enacted by the authority aforesaid, That the Governor be and he is hereby authorized and directed to give his proclamation, forbidding all future intrusions, and enjoining & requiring all persons who have intruded, contrary to the provisions of the Act to which this Act is supplementary, to withdraw peaceably from the Lands wherein such intrusions have been made, and enjoining & requiring all officers of Government, and all good Citizens of the Commonwealth, to prevent, or prosecute by all legal means, such intrusions & intruders, & to render in their several capacities, the most prompt & effectual aid for carrying into full execution the provisions of this Act and the Act to which this is supplementary.

Section V. And be it further enacted by the authority aforesaid, That it shall be the duty of the Justices of the several Courts of Common Pleas of the Counties of Northampton, Wayne, Northumberland, Lycoming and Luzerne, and they are hereby respectively enjoined & required, to read or cause to be read in open Court, this Act and the Act to which this Act is supplementary, at least once in each of the four Terms next after receiving it.

Section VI. And be it further enacted by the authority aforesaid, That all expenses which may arise under this Act, shall be paid out of any unappropriated moneys which may be in the State Treasury, on Warrants drawn by the Governor for that purpose.

out to be presented in person
prior to his acting in his office,
to the duties of his office and
one thousand two hundred Dollars,

such action commenced as aforesaid
the particularly, and if he shall refuse

made to appear to the satisfaction
or persons acting under his authority,
acting under his authority, but
his duty under this Act, it shall be
part of the Militia of this State
in the detachment, so
same rules & regulations, as are

may be and his hereby authorized
and enforcing & requiring all
that this is supplementary, to
make, and enforcing & requiring
prevent, or prosecute by all legal
is, the most prompt & effectual
to which this is supplementary.

in the duty of the Prothonotaries
Wayne, Northumberland,
required, to read or cause
supplementary, at least once

expenses which may arise
to any in the State Treasury,

pen?

use of Representatives

Speaker of the Senate

then Governor of the

th of Pennsylvania

then Northumberland & Luzerne
Pennsylvania, in general Assembly
on shall, after the passing of
limits of the County of

of commonwealth of half share
monowallth of the late

duty concerned thereof, upon
Salem, to be held in the
half to the use of the County,
provision not exceeding what
tion direct

he shall contribute or contribute
into aforesaid, under any half
which by persons not appointed
to necessary thereof, before or
in five hundred, not more
than

than one thousand Dollars, one half to the use of the County and the other half to the use of the Treasurer
and shall also be subject to such imprisonment at hard labour, not exceeding eighteen months, in the Court
in their discretion, may direct.

Section III. And be it further enacted by the authority aforesaid, That the Court wherein such execution shall
have been had, shall cause their Writ to the Sheriff of the County, wherein the said Offense has been committed,
or the said execution had, or if the said Court shall be of opinion, that the Sheriff or Coroner are not competent,
then to any other person or persons they may think proper, commanding him or them, together with the power
of the County, if he or they should judge their assistance necessary, to proceed to the lands in question, & to cause
to be sold & sold out every the person & persons therein intended as aforesaid, and if the said Sheriff or other person
or persons appointed as aforesaid, should make return to the said Writ, that he or they have been unable to execute,
the same, by reason of the possible resistance of the parties, or any other persons, or from a just apprehension
of such resistance as would render the execution thereof by himself or themselves, & the power of the
County, impracticable, the Prothonotary of the Court to which such Writ is returned, shall forthwith transmit
with a copy of the said Writ and return, under the Seal of the said Court, to the Governor, and if, upon the
said return, or upon a Certificate signed by the President, or one of the Judges of the Court of Common Pleas of the
proper County, or by one of the Judges of the Supreme Court, that the process of the Court has been resisted, or
that there is reason to believe that the civil authority will be incompetent to the execution of this Law, the Governor
shall deem it expedient to cause a portion of the Militia of this State to assist the civil authority in executing
into effect this Act, or any part thereof, the detachment so called out shall receive the same pay & rations, &c.,
subject to the same rules & regulations, as are provided in other cases.

Section IV. And be it further enacted by the authority aforesaid, That if a Judge of the Court of Quarter Sessions for
the proper County, or a Judge of the Supreme Court, shall apprehend that the Sheriff & Coroner are not
impartial, it shall and may be lawful for the said Judge to direct the Viewers for the grand Inquest, and for
the traverse Jury, in any person or persons he or they may think proper.

Section V. And be it further enacted by the authority aforesaid, That if any person or persons shall resist any Officer,
or other person duly authorized, in the execution of this Act, or any part thereof, every person or persons so offending,
and every person that shall be necessary thereto, before or after the fact, shall, on conviction, forfeit and pay a sum not
more than five thousand nor less than five hundred Dollars and undergo an imprisonment at hard labour for
any period not less than three, nor more than seven years.

Section VI. And be it further enacted by the authority aforesaid, That in order to determine a knowledge of the pro-
visions contained in this Act, it shall be the duty of the Prothonotaries of the several Courts of Common Pleas of the
County of Northampton, Northumberland & Luzerne, and they are hereby respectively enjoined & required, to
read, or cause to be read, in open Court, the said Act, and every part thereof, at least once in the three Terms next
after receiving the same; and also it shall and may be lawful for the Governor of this Commonwealth to cause his
proclamation, enjoining and requiring all persons having intended or intended to withhold peacefully from the
Lands wherein such intentions have been made; and further enjoining the several Officers of Government,
and the good Citizens of this State, to prevent or prosecute, by all legal means, such intentions & contumacies, & to
afford their most prompt and effectual aid, in their several & respective capacities, to carry into full execution the
Laws of this Commonwealth relating thereto. Provided always that nothing contained in this Act shall extend
to the claims of persons claiming Lands under and by virtue of an Act entitled "An Act for ascertaining &
confirming to certain persons, called Connecticut claimants, the Lands claimed by them within the County of
Luzerne, and for other purposes therein mentioned" passed the twenty eighth day of March one thousand seven
hundred & eighty seven. And provided further that this Act, or any thing therein expressed, shall not be
considered as intended to affect any claims under the said Law, nor as a legislative construction or opinion respecting
said Act, or an Act, entitled, "An Act to repeal an Act, entitled 'An Act for ascertaining & confirming to certain
persons called Connecticut claimants, the Lands by them claimed within the County of Luzerne, & for
other purposes therein mentioned' passed the first day of April one thousand seven hundred & ninety, or the
validity or effect of either of the said Laws.

George Latimer Speaker
of the House of Representatives
Robert Hare Speaker
of the Senate

Approved April 11. 1795
Thomas Mifflin Governor of the Commonwealth
of Pennsylvania

Samuel A. Law

Cheshire

New Haven Post Office

Intrusion Labels
Penn.