



Pennsylvania, &c.

In the name and by the authority of the
Commonwealth of Pennsylvania.

By THOMAS M'KEAN,

Governor of the said Commonwealth,

A Proclamation.

WHEREAS provision was heretofore made by an act of the General Assembly, passed on the eleventh day of April, in the year 1795, to prevent and punish intrusions upon the lands within the limits of the counties of Northampton, Northumberland and Luzerne; and also to prevent and punish conspiracies for the purpose of conveying or settling on any lands within the said limits, under any half share right, or any other pretended title, not derived from the authority of the commonwealth, or of the late Proprietaries of Pennsylvania, before the revolution; or for the purpose of laying out townships within the said limits, by persons not appointed or acknowledged by this commonwealth: And Whereas further provision has been made by an act of the General Assembly, passed on the sixteenth day of February, in the year 1801, more effectually to prevent and punish any of the offences aforesaid, committed in relation to the same lands now lying within the counties of Wayne, Northampton, Luzerne, Northumberland, or Lycoming.

To the intent, therefore, that the provisions of the said acts of the General Assembly may be duly enforced, and in compliance with the requisitions thereof, I have issued this proclamation; hereby forbidding all future intrusions on lands within the limits of the said counties of Wayne, Northampton, Luzerne, Northumberland, and Lycoming; and enjoining and requiring all persons who have intruded on any lands, contrary to the provisions of the said first recited act, to withdraw peaceably from the lands whereon such intrusions have been made. And all officers of the government, and all good citizens of the commonwealth, are further hereby required and enjoined to prevent, or to prosecute by all legal means, such intrusions and intruders; and to render, in their several capacities, the most prompt and effectual aid for carrying into full execution the provisions of the said recited acts of the General Assembly.

Given under my hand, and the great seal of the State, at Lancaster, this fourteenth day of April, in the year of our Lord one thousand eight hundred and one, and of the commonwealth the twenty fifth.

By the Governor,

A. J. DALLAS, Secretary
of the commonwealth.

(Copy.)

An act to prevent intrusions on lands within the counties of Northampton, Northumberland, and Luzerne.

Section I. 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 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 of 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 Proprietaries of Pennsylvania before the revolution, such person, upon being duly convicted thereof, upon indictment in any Court of Oyer and 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 county and the other half to the use of the informer; and 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 laying out townships by persons not appointed or acknowledged by the laws of this commonwealth, and 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 one thousand dollars, one half to the use of the county, and the other half to the use of the informer; and shall also be subject to such imprisonment at hard labour, not exceeding eighteen months as the court in their discretion may direct.

Section III. And be it further enacted by the authority aforesaid, That the court wherein in any such conviction shall have been had shall issue their writ to the Sheriff of the county, wherein the said offence has been committed, or the said conviction had, or if the said court shall be of opinion that the Sheriff or Coroner are not impartial, 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, and therefrom to expel and eject all and every the person and persons thereon intruded 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 forcible 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, and the power of the county, impracticable, the Prothonotary of the court to which such writ is so returned, shall forthwith transmit 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 if, 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 order out a portion of the militia of this State to assist the civil authority in carrying into effect this act, or any part thereof, the detachments so called out, shall receive the same pay and rations, and be subject to the same rules and regulations, as are provided in other cases.

(Copy of the three first sections.)

Abridgement of an act passed this session, supplementary to the Intrusion Law.

Section I. Entering into, intruding, settling on, or being in possession of, the land before the time of finding the indictment, is made evidence sufficient to convict, unless the person indicted proves that the entry, &c. was before the passing of the intrusion law, (April 11th. 1795) or that he or she had at the time of his or her entering, &c. a good and bona fide title derived from or under the Commonwealth of Pennsylvania, or the late Proprietaries.

Section II. Punishment of a second offence in a fine of five hundred dollars, and imprisonment at hard labor, not less than six months nor more than two years.

Punishment, if convicted more than twice—imprisonment at hard labor not less than two years nor exceeding seven, and a fine not less than five hundred dollars, nor more than one thousand dollars.

Section III. The Governor is to appoint an Agent, whose duty it shall be to make diligent inquiry into offences committed or to be committed against the Intrusion law, with power to enter upon any lands within the counties of Northampton, Wayne, Northumberland, Luzerne and Lycoming, and do any act necessary for ascertaining the lands intruded upon; and the Agent is as quickly as possible to send to the Attorney-General, or his deputy, in the proper county, a written account of the names of all offenders discovered by him, with the names of the witnesses, and the best information in his power, on all matters necessary for prosecuting the offenders.

Section IV. Every male person above the age of twenty one, coming to reside within the counties aforesaid, is in three months from the time of his arrival, to deliver to the said Agent, or to the Constable of the township, or to the Sheriff of the county or his deputy, a written declaration of his name and place of abode, and of the American State, or 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 Connecticut, or the Delaware or Susquehanna Company, under penalty of forty dollars.

Section V. Resisting the said Agent, or any person acting under his authority—conspiring so to resist—punishable by fine not exceeding one thousand dollars, and hard labor not exceeding seven years. This extends also to accessories before and after the fact.

Section VI. In actions of ejectment for lands to which a title or claim is pleaded under Connecticut, the Susquehanna or Delaware Company, the mesne profits may be recovered to the time of judgment.

Section VII. In actions for trespasses committed on such lands, the plaintiff, on affidavit, is entitled to hold the defendant to special bail.

Section X. The Governor, in case of danger to the said Agent, &c. may order out a sufficient part of the militia for the protection of all persons acting under the authority of this act.

It has been the insulting boast of the Connecticut Claimants, that the Laws of Pennsylvania have not been carried into execution; a hope that such laws would be permitted to remain a dead letter, and a reliance on the inattention of the holders of land under Pennsylvania, have induced a number of people to intrude themselves into Pennsylvania, under the pretence of grants from the Susquehanna and Delaware Companies.

There can however be no doubt entertained, at this time, that the laws will be punctually and vigorously carried into execution.

The Governor is well known to be decidedly in favor of the measure, not only from his duty as a public officer, but also from his private opinions.

An Agent has been appointed on the part of the public, with an handsome salary, for the express purpose.

The holders of lands under Pennsylvania, and within the Connecticut claim, have entered into an association and appointed a committee, "in order to obtain the beneficial effects which may be expected to result from those laws."

The Associates are highly respectable in number and character.

The property they have at Stake is immense.

Their Committee is active and industrious.

Council of eminence in the law have been applied to, for the support of prosecutions against offenders, and advice to the Agent and his deputies.

Gentlemen of Integrity and Ability will be employed by the associates and deputed by the Agent, whenever he may deem it expedient—one has been already spoken to.

From this association, government will have every assistance and support it may become the one to offer, or the other to accept, and it cannot be doubted that the evils these wholesome laws are intended to remove, will very soon be entirely done away.

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