

## Establishing SGR Patents (1795)

### CHAPTER CCXX.

#### **An ACT for the relief of the Settlers on the south side of Green River.**

*Approved by the Kentucky General Assembly on December 21, 1795*

**WHEREAS** a number of people have settled themselves on the vacant land south of Green river, under a belief that they were no longer liable to be taken by military warrants, and that the legislature would grant them settlements therefore, on paying a moderate price for the same; and it is therefore thought proper to pass an act for that purpose. Therefore,

SECTION 1. **BE it enacted by the General Assembly**, That every house keeper or other free person above the age of twenty-one years, who shall have actually settled himself or herself on any land within that boundary, set apart for the said officers and soldiers on the south side of Green river, or any other vacant land within this state, which shall not have been previously taken by a military warrant, on or before the first day of January next, and shall actually reside thereon at that time, shall be entitled to hold any quantity of such land not exceeding two hundred acres including the settlement. Provided, they shall not include any salt lick, or any body of ore: that he or she shall on or before the first day of August next, make an entry thereof in the office of the surveyor of the county where the land lies, and pay for the same according to the directions and provisions of this act. And for the purpose of ascertaining who shall be entitled to land under this act,

SECTION 2. **Be it further enacted**, That three persons shall be appointed who shall have power and authority to hear and determine the right of settlements under this act, at a court to be by them held at a courthouse in the counties of Logan and Green, on the first day of June and July, and then continue by adjournment for the term of fifteen days at each place, if the business should require it; any person claiming a settlement right under this act shall before the said fifteenth day of July, lay in the same before the commissioners and have their or his witnesses ready to support his or her claim, and if the said court shall be of opinion that the said claimant under this act is entitled to the same, they shall cause it to be located, specially describing the boundaries, and certify the same to the surveyor of the county where the lands lie, who shall make an entry of the same in a well bound book kept for that purpose, and shall thereupon file away the certificate as his voucher, which shall accompany the surveyor of the land to the register's office to be by him safely kept.

SECTION 3. **And be it further enacted**, That the said court shall have power to compel the attendance of witnesses, to administer the necessary oaths, and to examine them touching any thing material to the matter in question. The sheriffs of Logan and Greene shall attend the said court by himself or deputy, and perform to them all the necessary duties of his office; and he shall be entitled to receive the usual fees for any services he may perform, to be paid by the party requiring the same, and in the usual way, exclusive of six shillings per day, which he shall be entitled to receive for his attendance on said court, to be paid out of the public treasury, on a certificate of his attendance signed

by the said court, and audited, if there should be as much money in the treasury arising from fees paid on certificates, and not otherwise.

SECTION 4. **And be it further enacted**, That the said court shall have power during the term aforesaid, to hear and determine all disputes between settlers who claim under this act; and their decision shall be final and without appeal.

SECTION 5. **And be it further enacted**, That in case of a contest respecting the right of settlers under this act, the person who made the first improvement shall be preferred, and no person shall obtain a certificate for more than one improvement.

SECTION 6. **And be it further enacted**, That in surveying the said settlement tract, it shall not exceed in its longest part twice the width of its narrowest part, unless it shall be restrained on the opposite sides by the lines of prior rights.

SECTION 7. **And be it further enacted**, That the lands located by virtue of this act shall be surveyed within six months from the said first day of August, and a plat and certificate thereof lodged in the register's office, within the space of six months from the date of such survey, upon which the register shall issue a grant for the usual fees; provided that the owner of every such survey shall pay the sum of thirty dollars for every hundred acres, and the same rate for every greater or lesser quantity contained in his said survey; the money aforesaid shall be paid to the treasurer, and his receipt for the same, specifying therein for what it was paid, shall be by the party lodged with the register, after which the grant shall issue, and not before.

SECTION 8. **And be it further enacted**, That if the survey claimed by virtue of this act be not lodged with the register, and the money due on such survey be not paid on or before the first day of November, in the year 1796, then the said survey shall revert to the state.

SECTION 9. **And be it further enacted**, That the governor shall appoint the said commissioners, who shall be allowed the sum of twelve shillings per day for every day they shall sit to do business, and in travelling to and from the place of holding their court; and for the purpose of paying them and their clerk to be appointed by them, who shall receive twelve shillings per day, there shall be paid down the sum of three shillings upon any certificate of a settlement allowed; and should there be any money remaining in the hands of the clerk, after retaining at the rate of twelve shillings per day for his own services, and paying each commissioner twelve shillings for his services, he shall pay the same in the public treasury, and take the treasurer's receipt therefore, and shall lodge the same with the auditor.

SECTION 10. **And be it further enacted**, That the said commissioners at the end of the term aforesaid, shall sign their proceedings and cause a copy of them to be lodged with the register. The aforesaid commissioners shall have power to award costs on the decision of a contest as to them shall seem right.

SECTION 11. **And be it further enacted**, That no person shall settle on any vacant or unappropriated land within this state in future, with an expectation of being granted the preference of settlement.

SECTION 12. **And be it further enacted**, That all acts and parts of acts as come within the purview of this act shall be and the same is hereby repealed.

This act shall commence and be in force from and after the passage thereof.

REF: "The Statute Law of Kentucky", Vol. I., by William Littell, pp. 349-352.