**CHAPTER LXXVI**

**An Act for Settling and Improving the Vacant Lands of this Commonwealth**

*Approved December 20, 1800*

 **WHEREAS** it is represented to this assembly, that there is still in this state large quantities of vacant land, which by being occupied by the citizens thereof, whose interest it may be to hold it, or by any citizens of the United States, or foreigners, who being thereby encouraged to reside thereon, will greatly add to the population, wealth and consequence of this state:

 SECTION 1. **Be it enacted by the General Assembly of this Commonwealth**, that it shall be lawful for any free person of the description aforesaid, above the age of eighteen years, to improve, occupy, and hold of the vacant lands aforesaid, four hundred acres; provided, that he or she actually settles and resides thereon; ***Provided***, that no person who now holds any land obtained by certificate under any act of the assembly of this state, for encouraging and granting relief to settlers South of Green River, shall be authorized to appropriate under this act, more than two hundred acres, in addition to the quantity he may have acquired under the laws aforesaid.

 SECTION 2. **Be it further enacted**, that where any person shall hereafter settle himself on any vacant land as aforesaid, he shall, within three months after such settlement, apply to the court of the county in which such settlement is made, and upon proving to them that he has actually made such settlement, be entitled to a certificate for the quantity of land to which he may be entitled to under this act, including such settlement in which said certificate shall be contained, a special location, describing as accurately as may be, the land contemplated to be included in said certificate, a duplicate of which said certificate shall be made out by the clerk and delivered to the claimant; who shall pay the said clerk one shilling therefor.

 SECTION 3. **And be it further enacted**, that the person obtaining such certificate, shall within twelve months after the date thereof, upon producing the same to the register of the land office, and paying to the treasurer at the rate of twenty dollars per hundred acres, shall be entitled to a warrant for the same, in which warrant shall be contained the location as specified in the certificate, for which warrant the proprietor shall pay to the register twenty-five cents.

 SECTION 4. **And be it further enacted**, that the said warrant shall be located within six months after the date thereof, with the surveyor of the county in which the lands may be, in the words of the certificate, and shall cause the same to be surveyed within twelve months thereafter, for which a patent shall issue, upon paying the usual fees, as in other cases.

 SECTION 5. **And be it further enacted**, that no location or survey which shall be made in virtue of this act, shall in its length exceed its breadth more than one-third, unless interrupted by prior claims only.

 SECTION 6. **And be it further enacted**, that in all contests by settlers under this act, those who first did actually and bona fide settle and reside on said lands, shall have the preference. And all persons who may have actually settled themselves as aforesaid, prior to the passage of this act, shall be entitled to the provisions thereof, and shall on or before the first day of August next, obtain their certificates from the county courts, as aforesaid.

 SECTION 7. **And be it further enacted**, that every person obtaining a certificate under this act, shall before he obtains a patent therefor, actually and bona fide settle and reside thereon two years, during which no assignment or transfer shall be lawful.

 SECTION 8. **And be it further enacted**, that if any person who now has or shall hereafter settle on any vacant lands as aforesaid, and shall not obtain from the county court his certificate, or when obtained, shall not obtain from the register his warrant therefor, within twelve months, as aforesaid, it shall be lawful for any other person immediately to procure a certificate for the said land, and having paid the amount of the money due, to obtain a warrant therefor, survey the same, and carry it into grant. Nothing in this act shall be so construed as to authorize any person or persons to locate any salt lick or spring, or any mine of mineral or ore, with 1000 acres of land around the same, including the said lick or spring in the centre of a square to be bounded by lines running to the cardinal points.

REF: “Kentucky Acts, 1800”, pp. 125-128.