

CHAPTER MMCCCLXXIII.

A SUPPLEMENT TO THE ACT ENTITLED "AN ACT TO PREVENT THE EXPORTATION OF BAD OR UNMERCHANTABLE STAVES, HEADING, BOARDS AND TIMBER." (*)

Section I. (Section I, P. L.) 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 no staves shall be deemed as merchantable and fit for exportation, which are not three inches wide, and otherwise conformable to the act to which this is a supplement.⁽¹⁾

Approved March 30, 1803. Recorded in L. B. No. 9, p. 179.

Note (*). Chapter 439; 5 Statutes at Large, p. 400.

CHAPTER MMCCCLXXIV.

AN ACT TO ERECT CERTAIN PARTS OF WESTMORELAND AND LYCOMING COUNTIES, INTO A SEPARATE COUNTY.

Section I. (Section I, P. L.) 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 those parts of the counties of Westmoreland and Lycoming, included within the following boundaries, viz. Beginning at the corner of Armstrong county on the Kiskiminetas river; thence up said river to the mouth of Conomauch river; thence up said river to the line of Somerset county; thence a straight line to the canoe-place on the west branch of Susquehanna; thence a north course along Potter's district line twelve miles; thence a due west course to Armstrong county line; thence along said line to the place of beginning; be and the same is hereby erected into a separate county, to be henceforth called Indiana county, and the place of holding the courts of justice in and for said county, shall be fixed by the legislature, at any place at a distance not greater than four miles from the centre of the said county, which may be most beneficial and convenient for said county; and the governor is hereby empowered and required to ap-

point three commissioners, any two of whom shall run, ascertain and plainly mark, so much of the boundary lines of the county of Indiana as is hereinafter described, before the first day of October next; beginning on the line of Somerset county on the Conomauch river, from thence to the canoe-place on the west branch of Susquehanna river, and from thence to Armstrong county line; and the commissioners shall receive as a full compensation for their services therein, the sum of two dollars for every mile so run and marked, to be paid out of the monies which shall be raised for the uses of the said county of Indiana.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners to be appointed by the governor, for the purpose of running and marking the lines of said county of Indiana, shall also ascertain, and particularly describe the centre of said county, and make report, to the trustees herein after named, to take proposals for the conveyance of lands for county uses; and the said commissioners shall be allowed a reasonable compensation for their services in ascertaining the centre of the said county of Indiana.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That for the present convenience of the inhabitants of the said county of Indiana, and until an enumeration of the taxable inhabitants of the said county shall be made and it shall be otherwise directed by law, the said county of Indiana, shall be, and the same is hereby annexed to the county of Westmoreland; and the jurisdiction of the several courts of the county of Westmoreland and the authority of the judges thereof, shall extend over, and shall operate and be effectual within said county of Indiana.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That William Jack, James Parr and John Pomroy, of Westmoreland county, are hereby appointed trustees for the said county of Indiana, with full authority to receive proposals in writing from any person or persons, or any bodies corporate or politic, for the granting or conveyance of any lands within the said counties respectively,

and within the limits hereinbefore described, for fixing the place of holding the courts of justices in the said county, and when the place for holding the courts of justice in the said county shall be fixed by the legislature, to take assurance in the law, for the lands contained in any such proposals, which shall or may be accepted of under the same trusts and for the sole use and benefit of the said county.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That as soon as it shall appear by an enumeration of the taxable inhabitants within the county of Indiana, that the said county, according to the ratio which shall then be established for apportioning the representation among the several counties of this commonwealth, shall be entitled to a separate representation, provision shall be made by law, apportioning the said representation, and enabling such county to be represented separately, and to hold the courts of justice at such place in the said county, as hereafter may be fixed for holding the same by the legislature, and to choose their county officers, in like manner as the other counties of this commonwealth may or can do.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the commissioners of the county of Westmoreland, shall have power, and they are hereby authorized, to assess and levy county rates and levies, for county uses and purposes, in the county of Indiana; and the said commissioners and treasurer of the county of Westmoreland, shall open an account for the county of Indiana, from which such rates and levies shall be raised and collected; and shall pay out of the monies raised and collected in the said county of Indiana, all the expenses of assessing, levying and collecting the same therein, together with the expenses of running the boundary lines of the said county, and the expenses of ignoramus bills, and other costs of prosecution chargeable to the county, which shall be exhibited against persons residing and inhabiting within the said county; and also all rewards for wolf-scalps and animals of prey destroyed in the said county, for which a reward is or shall be given by law; and that the remainder or surplus thereof; shall be ap-

plied to and for the use of the county of Indiana; and that all the county taxes which have been or shall be assessed for the current year, by the commissioners of Westmoreland and Lycoming counties, shall be and remain for the use of the county, in which such sum is or shall be assessed.

Approved March 30, 1803. Recorded in L. B. No. 9, p. 179.

CHAPTER MMCCCLXXV.

AN ACT GRANTING TO PETER SMITH AND ELIZABETH HIS WIFE, THE DONATION LAND TO WHICH NICHOLAS UNGERMAN, A SOLDIER IN THE FOURTH PENNSYLVANIA REGIMENT, WAS BY LAW ENTITLED.

Whereas it appears to the legislature that Nicholas Ungerman, late a sergeant in captain John Mearse's company, belonging to the fourth Pennsylvania regiment, commanded by colonel William Butler, on or about the month of September, in the year of our Lord, one thousand seven hundred and seventy-nine, was killed by the Indians in the expedition commanded by general Sullivan; and that the said Nicholas Ungerman had no relatives in this country other than his now aged mother Elizabeth, who during the infancy of the said deceased, intermarried with Peter Smith, now of Northumberland county, with whom the said Nicholas lived until the time of his enlistment in the company aforesaid: And whereas the said Peter Smith, by his petition, hath requested that the donation land to which his said step-son Nicholas was by law entitled, may be granted in fee to him the said Peter and Elizabeth his wife: And whereas it appears reasonable to extend to the aged and indigent mother and step-father of the said Nicholas, those favors due to him which his death in defence of his country prevented him from enjoying: Therefore,

Section I. (Section I, P. L.) 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 the donation land to which the said Nicholas Ungerman was entitled by virtue of any law or laws of this commonwealth, made in this behalf for the