

CHAPTER XLIX.

An ACT to establish and confirm the Place for holding the Courts of Justice, and to provide for erecting the public Buildings for the Use of Indiana County.

WHEREAS in pursuance of an Act passed the thirtieth day of March, one thousand eight hundred and three, entitled, An act to establish the place for holding the courts of justice in the county of Indiana, it appears, that the Legislature of this Commonwealth did appoint William Jack, James Parr and John Pomroy, commissioners to perform the duties enjoined and required by the said act: And whereas it appears, by the report of the said commissioners, to the house of representatives, and now before the General Assembly, that the said commissioners have performed the duties enjoined on them: In order therefore to complete and secure to the said county the benefits intended by the act aforesaid,

Section 1. *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

Charles Campbel, Randel Loughlin and John Willson, be and hereby are appointed trustees for the county of Indiana, and the said trustees, or a majority of them, are hereby authorized and required to survey, or cause to be surveyed two hundred and fifty acres of land, agreeably to a description given of the situation and boundary

Trustees appointed for the county of Indiana, who are to cause to be surveyed 250 acres of land, for the use of said county;

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dary thereof, in the grant and obligation of Alexander Craig for George Clymer, made by him to the present Legislature, for the use of the county of Indiana, and the said trustees are hereby authorized and required to lay out a convenient lot or lots, not exceeding four acres, whereon the public buildings for the county of Indiana shall be erected, and the residue of the said two hundred and fifty acres shall be laid out into town-lots and out-lots, in such manner and with such streets not more than one hundred nor less than seventy feet wide, and such lanes and alleys for public uses as the said trustees shall direct: *Provided*, That not more than two-thirds of an acre nor less than one-fourth of an acre shall be contained in any town-lot, nor more than three acres in any out-lot; and the said town being so surveyed and laid out, shall be called Indiana; and the streets, lanes and alleys within the town and out-lots shall be and remain common highways forever.

Sec. 2. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the said trustees, or a majority of them, to sell, by public auction, the said town-lots and out-lots, at such time as they may judge most advantageous to the county; previously to which, the said trustees shall advertise the same three times at least in one or more of the news-papers printed in Pittsburgh, Washington, Greensburgh, Lancaster and Philadelphia, two months before the day appointed for such sale; and, before the advertisements are published as aforesaid, transmit a map or draught of the town and out-lots to the secretary of the Commonwealth, to be deposited in his office; and with the money arising from the sale of the said town-lots and out-lots, the trustees shall proceed to erect a court-house, jail and necessary public buildings for the use of the

and to lay out a lot or lots, not exceeding 4 acres, whereon to erect the public buildings; the residue to be laid out into town and out-lots.

Dimensions of the town and out-lots.

Town to be called Indiana.

Trustees to sell Town and out lots by way of auction, and to give prior notice of such sale, and transmit a map of the same to the office of the Secretary of the Commonwealth.

The proceeds of such sale to be applied to the erection of a court-house and other necessary public buildings.

the county of Indiana: *Provided*, That before the aforefaid trustees fhall proceed to the performance of any other of the duties hereby enjoined and required, they fhall demand and receive a deed or deeds of conveyance in fee-fimple from Alexander Craig for George Clymer, agreeably to the terms expreffed in the aforefaid obligation for that purpofe, given by the aforefaid Alexander Craig for George Clymer, and fhall procure the deed or deeds to be recorded in the office for recording deeds in the county of Westmoreland; and when the faid trustees have fo done, they fhall have authority, and it fhall be their duty to make out and grant fufficient deeds in fee fimple for the town-lots and out-lots by them fold in purfuance of this act.

Further duties of the trustees.

Sec. 3. *And be it further enacted by the authority aforefaid*, That the aforefaid trustees, or a majority of them, fhall, within one year from and after the courts of law and board of commissioners fhall have been eftablifhed and opened by law in and for faid county, furrender and convey to the faid commissioners, and their fucceffors in office, in truft for the ufe of the county, all trufts vefted in them, or a majority of them, by this act; and the faid commissioners of the county are hereby empowered and required to do and perform the feveral duties which may remain to be done, as fully and effectually as the faid trustees might or could have done, and the faid county commissioners fhall have power, and it fhall be their duty to call upon and compel the aforefaid trustees, to fettle their accounts, and to pay over the money to the county treafurer, if any fuch money remains in their hands, or in the hands of either of them, due to the county of Indiana, from the fale of the town-lots or out lots aforefaid: *Provided*, That at any time before the faid

When the trustees are to furrender the truft vefted in them by this act to the commissioners of the county.

Powers and duties of the Commissioners.

Provisional duties to be per-

formed by the court of Common Pleas for the county of Westmoreland.

county of Indiana is organised, and the courts of law and board of commissioners are in operation, it shall be the duty of the court of common-pleas for the county of Westmoreland, on the petition of fifty freeholders of the county of Indiana, to appoint auditors with as full powers to compel the said trustees to settle their accounts, as the county commissioners might or could do in pursuance of the aforesaid powers.

Compensation of the trustees.

Sec. 4. *And be it further enacted by the authority aforesaid,* That each of the trustees appointed to fix on the seat of justice, and each of the trustees appointed by this act, shall receive one dollar and thirty-three cents for every day he may have been or shall be employed in performing the duties of the aforesaid trust, together with all expences necessarily incurred, for assistance in laying out lots, streets, lanes and alleys; to be paid by the treasurer of the county of Westmoreland, on orders drawn by the commissioners of said county out of the county taxes levied on the county of Indiana.

Trustees to file a draught and report of their proceedings in the recorder's office of Westmoreland county.

Sec. 5. *And be it further enacted by the authority aforesaid,* That the said trustees shall as soon as may be, file a draught return and report of the survey and proceedings under and by virtue of this act, in the office of the recorder of deeds in and for the county of Westmoreland.

Part of a former law repealed.

Sec. 6. *And be it further enacted by the authority aforesaid,* That so much of the Act passed the thirtieth day of March, one thousand eight hundred and three, as authorises the commissioners therein named to be trustees for the said county

county of Indiana is hereby repealed and made void.

SIMON SNYDER, *Speaker*

of the House of Representatives.

ROBERT WHITEHILL, *Speaker*

of the Senate.

APPROVED—the twenty-fifth day of March in the year of our Lord one thousand eight hundred and five.

THOMAS M'KEAN, *Governor*

of the Commonwealth of Pennsylvania.

CHAPTER L.

An ACT to empower John Keen, Guardian of Esther Thomas, an Infant, to sell and convey real Estate belonging to the said Infant.

WHEREAS Esther Vanciver, late of the Northern-Liberties of the city of Philadelphia, deceased, in her life-time was seized in fee of one-fifth part, the whole into five equal parts to be divided, of a certain messuage or tenement and lot or piece of ground thereunto belonging, situate in the city of Philadelphia, containing in breadth twenty five feet nine inches, and in length or depth one hundred and seventy-eight feet, bounded eastward by a lot formerly of William Maltby, but afterwards of George Emlen, deceased, southward by Chestnut-street, westward by a lot formerly of William Hudson, and northward by the back end of High-street lots, with the appurtenances; and