

1796. and to the said two out-lots, but only the occupancy and use thereof, for the purposes aforesaid.

Passed 1st February, 1796.—Recorded in Law Book No. VI. page 61.

## CHAPTER MDCCCLIX.

*An ACT to erect part of Washington county into a separate county.*

**SECT. 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 all that part of Washington county, lying within the limits and bounds herein after described, shall be, and is hereby erected into a separate county, that is to say; beginning at the mouth of Ten Mile creek, on the Monongahela river; thence up Ten Mile creek to the junction of the north and south forks of said creek; thence up said north fork to Colonel William Wallace's mills; thence up a southwesterly direction to the nearest part of the dividing ridge between the north and south forks of Ten Mile creek; thence along the top of the said ridge to the ridge which divides the waters of Ten Mile and Wheeling creeks; thence a straight line to the head of Enlow's Branch of the Wheeling; thence down said branch to the western boundary line of the state; thence south along the said line to the southern boundary line of the state; thence east along said line to the river Monongahela; and thence down the said river to the place of beginning; to be henceforth known and called by the name of Greene county.*

The county of Greene erected, and its boundaries described.

**SECT. II.** *And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Greene be entitled to, and shall at all times hereafter have, all and singular the courts, jurisdictions, officers, rights and privileges, to which the inhabitants of other counties of this state are entitled by the constitution and laws of this state.*

The rights and privileges of the inhabitants of the new county the same as in other counties.

[**SECT. III.** *And be it further enacted by the authority aforesaid, That a number of proper persons, not fewer than three, nor more than four, shall be appointed and commissioned Judges of the Courts of Common Pleas in and for the said county of Greene; and that Courts of Common Pleas and General Quarter Sessions of the Peace, to be holden in and for said county of Greene, shall be opened on the Monday next following the County Court of Fayette, which shall be held in December next, and then the said courts shall be holden each and every succeeding term on the Mondays following the County Courts of Fayette county; and the said Courts of Quarter Sessions shall sit three days at each session, if there be occasion, and no longer, and shall be held at the house now occupied by Jacob Kline, on Muddy creek, until a court-house shall be built and erected, as herein after directed, in the county aforesaid; and the said several courts shall then be holden and kept at the said court-house, on the days before mentioned.]*

Justices of the Peace to be appointed.

(Supplied.)

When and where the County Courts shall be held.

**SECT. IV.** *And be it further enacted by the authority aforesaid, That no suit or prosecution, which has been heretofore commenced, or*

Of process now depend.

which shall be commenced in the courts of the county of Washington, before the month of December next, shall be delayed, discontinued, and affected by this act, but the same shall proceed to judgment, and execution shall be issued and done of all such judgments by the Sheriff and Coroner of Washington county, as if this act had not been made.

1796.

ing in the courts.

SECT. V. *And be it further enacted by the authority aforesaid,* That all the Justices of the Peace now commissioned for the districts of the present county of Washington, who reside within the limits of the county of Greene, shall be considered as and shall be Justices of the Peace for the said county of Greene.

Of the Justices of the Peace in the new county.

SECT. VI. *And be it further enacted by the authority aforesaid,* That all taxes and arrears of taxes laid, or directed to be laid, or which have become due, within the county of Greene, before the passing of this act, shall be laid, assessed, levied and collected, in like manner as if this act had not been passed; and all sums of money due to this commonwealth, for militia fines, in the said county of Greene, shall be collected and recovered, as if this act had not been made.

Of laying taxes and collecting militia fines within the new county.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the Sheriff, Treasurer, Prothonotary, and all such officers as have heretofore usually given surety for the faithful discharge of their respective offices, who shall hereafter be appointed or elected in the said county of Greene, before they, or any one of them, shall enter on the execution of their respective offices, shall give the same security, in the same manner and form, and for the same uses, trust and purposes, as such officers are obliged by law for the time being to do in the county of Washington.

Of official security to be given by the county officers.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the Sheriff, Coroner, and public officers of the county of Washington, other than the Justices of the Peace, shall continue to exercise the duties of their respective offices within the county of Greene, until similar officers shall be appointed, agreeably to law, within the said county of Greene.

The public officers of Washington county to act, until others are appointed.

[SECT. IX. *And be it further enacted by the authority aforesaid,* That the inhabitants of the county of Washington and the county of Greene, shall, jointly elect four Representatives, to serve in the House of Representatives of this state, in the same mode, under the same regulations, and make return in the like manner, as is directed by the existing laws of this state for conducting the elections and making returns of the elections of the county of Washington, any thing in this act to the contrary in any wise notwithstanding.]

Of the election of Representatives in the Legislature.

(Altered.)

SECT. X. *And be it further enacted by the authority aforesaid,* That David Grey, Stephen Gapin, Isaac Jenkinson, William Meekirk, and James Seals, of said counties of Washington and Greene, be, and they are hereby appointed Trustees for the county aforesaid, with full authority for them, or a majority of them, to purchase, or take and receive, by grant, bargain or otherwise, any quantity or quantities of land, not exceeding five hundred acres, within five miles of the centre of said county, and to survey and lay out the same into town and out-lots; and they or a majority of them, are hereby authorized to sell, at public auction, after due

Trustees appointed to receive grants for a county town;

1796.

notice given in the public newspapers of the towns of Washington and Pittsburgh, and convey in fee-simple, clear of any reservations whatsoever, so many of said town lots and out lots as they may think proper, and with the monies so arising from the sale of said lots, and with other monies to be duly assessed, levied and collected, within the said county of Greene, for that purpose, to pay for the lands thus purchased as aforesaid, and to build and erect a courthouse and a prison, suitable and convenient to the public, on such of the town lots aforesaid as shall have been reserved for that purpose; and the said trustees shall, from time to time, render true and faithful accounts of the expenditures of the same, not only to the commissioners, but to the Auditors of accounts for the said county of Greene, for inspection, adjustment and settlement.

and to erect  
county build-  
ings.

Sum to be  
raised for  
erecting the  
county build-  
ings.

SECT. XI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of the county of Greene to lay, assess and levy, for the aforesaid purposes, such a sum not exceeding three thousand dollars, as the trustees, or a majority of them, shall direct, in the same manner as the county rates and levies are raised and levied; and the money so raised and levied as aforesaid shall be put into the hands of the aforesaid trustees, for the aforesaid purposes.

Greene county  
included  
in the fifth  
district of  
Courts of  
Common  
Pleas.

(Altered.)

SECT. XII. *And be it further enacted by the authority aforesaid,* That the aforesaid county of Greene shall be, and is hereby declared to belong to the fifth circuit, consisting of the counties of Westmoreland, Washington, Fayette, Allegheny and Somerset; and that the President of the Courts of Common Pleas within the said district shall be President of the Courts of Common Pleas of the said county.]

Included in  
the election  
district  
with Wash-  
ington and  
Allegheny.

(Altered.)

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the said county of Greene shall form a part of the district composed of the counties of Washington and Allegheny, for the election of the members of Congress, and of the Senate of the State of Pennsylvania.]

Of townships  
divided by  
the boundary  
lines of the  
new county.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That when the division line aforesaid shall divide any township or townships, the part of each township thus divided, that will remain in Washington county, shall be a township, and retain its original name, and the part of each township thus divided, that will remain in the county of Greene, shall be a township and retain its original name, until the same shall be altered by the Courts of General Quarter Sessions of the Peace, for the said counties respectively.

The places  
of elections  
in Greene  
and Wash-  
ington coun-  
ties.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the inhabitants of the townships of Greene, Cumberland and Franklin, qualified by law to elect, shall continue to hold their elections at the usual places where they have heretofore held the same; and the inhabitants of that part of Washington county, not contained in the three townships aforesaid, which by this act falls into the county of Greene, qualified by law to elect, shall hold their elections at the house now occupied by Matthias Woodruff.

Powers of  
the Supreme  
Court.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That the Justices of the Supreme Court shall have the like powers, jurisdictions and authorities, within the said county of Greene, as

by law they are vested with, and entitled to have and exercise, in 1796.  
other counties of this state.

**SECT. XVII.** *And be it further enacted by the authority aforesaid,* That the Governor be, and he is hereby authorized to appoint three commissioners, to run the boundary line between the said counties of Washington and Greene, according to the directions of this act, who, or a majority of them, shall make report of their proceedings to the Governor on or before the first Tuesday of October next; and the expense of running the said line shall be paid out of the treasury of the county of Greene.

Commissioners to be appointed to run the boundary line.

**[SECT. XVIII.** *And be it further enacted by the authority aforesaid,* That the commissioners of the county of Greene, which shall be elected at the next annual election, are hereby authorized, required and directed, to take, or cause to be taken, a faithful and accurate account of all the taxable inhabitants of the said county of Greene, and make return thereof, under their hands and seals, to the Legislature of this commonwealth, on or before the first day of February, one thousand seven hundred and ninety-seven.]

A census of the taxables of Greene county to be taken and returned in 1797.

[Obsolete.]

**[SECT. XIX.** *And be it further enacted by the authority aforesaid,* That from and after the first day of December next, the Courts of Common Pleas and Quarter Sessions in the county of Washington shall be held on the Mondays next following the courts of the county of Greene.] (a)

Times of holding the Common Pleas of Washington county. (Supplied.)

Passed 9th February, 1796.—Recorded in Law Book No. VI. page 49.

(a) The boundaries of this county are altered, and part re-annexed to Washington county, and commissioners appointed to run the boundary line, by act of 22d January, 1802, (chap. 2212.)

The power of the trustees of Greene county transferred to the county commissioners by act of 28th January, 1800, (chap. 2087,) and by the same act, accounts of the trustees to be settled, and money raised for completing the county buildings.

The electors of Franklin and Cumberland townships, Greene county, where to hold their elections, act of 21st March, 1797, (chap. 1922.)

Place of holding elections for Greene district, fixed. Jefferson township and part of Morgan township, made a separate district; and part of Woodruff's district annexed to Franklin township. Act of 8th April, 1799, (chap. 2050, sect. 2, 9.)

The fifth election district erected, by act of 4th April, 1805, (chap. 2599, sect. 7.)

Sixth election district erected; and part of Whately district annexed to Waynesburg district, by act of 31st March, 1806, (chap. 2715, sect. 24, 25.)

Richhill and Morris townships, erect-

ed into separate districts, by act of 4th April, 1809, sect. 13, 14.

By the last enumeration the county of Greene contained one thousand nine hundred and eleven taxables, and with the county of Washington, seven thousand six hundred and twenty-seven taxables. And by the act of March 21st, 1808, apportioning the representation in pursuance thereof, this county sends one member to the House of Representatives, and with the county of Washington two members to the Senate.

By the judiciary act of 24th Feb'y, 1806. The counties of Beaver, Allegheny, Washington, Fayette and Greene compose the fifth district. The courts are held as follows; the term continuing one week; Beaver, 1st Monday in January, August and November, and last Monday in March. In Allegheny, the Mondays following. In Fayette, the Mondays succeeding the courts in Allegheny. In Greene, the Mondays succeeding the courts in Fayette, &c.

Greene county is attached to the western district of the Supreme Court.

By an act of 7th Feb'y, 1797, (chap. 1904,) provision was made for a place of holding the courts in Waynesburg; until a court-house should be built.