

counties of Venango and Crawford; thence along the lines dividing the said counties, to the southeast corner of Fairfield township; and the electors thereof shall hold their general elections at the house now occupied by James Herrington in said district.

Approved April 4, 1803. Recorded in L. B. No. 9, p. 236.

CHAPTER MMCCCXCIV.

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 ARMSTRONG COUNTY.

Whereas in pursuance of an act, passed the sixth of April, one thousand eight hundred and two,⁽¹⁾ entitled "An act to establish the places for holding the courts of justice, in the counties of Armstrong, Butler and Mercer," it appears that the governor did appoint Isaac Weaver, John Hamilton, Thomas Morton, James Brady and Presly Carr Lane, esquires, commissioners to perform the duties enjoined and required by the said act: And whereas it appears by the report of the said commissioners, deposited by them in the office of the secretary of the commonwealth, and now before the general assembly, by which it appears that the said commissioners, have performed the duties enjoined and required by the said act: In order therefore to complete and secure to the good people of the said county, the benefits intended in and by the act aforesaid,

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 James Sloan, James Matthews and Alexander Walker, be, and hereby are, appointed trustees for the county of Armstrong, and the said trustees or a majority of them, are hereby authorized, enjoined and required, to survey, or cause to be surveyed, one hundred and fifty acres of land, near the place where general Armstrong defeated the Indians, on the east side of the Allegheny river,

above Sloan's ferry, including the bend of said river, nearly opposite to a small island, being part of a tract of land called Kittanning, the property of James and John Armstrong, particularly described and set forth in the report of the commissioners, under the act, entitled "An act to establish the places for holding the courts of justice in the counties of Armstrong, Butler and Mercer,"⁽¹⁾ and given and granted under an obligation made and executed by James Armstrong, in behalf of himself and his brother John Armstrong, to the governor, in trust and to the use of the said county; and the aforesaid trustees are also hereby authorized and required, to lay out a convenient lot or lots, not exceeding two acres, whereon the public buildings for the county of Armstrong shall be erected; and the said lot or lots being so laid out, the surplus of the said one hundred and fifty acres, shall be laid out into town-lots and out-lots, in such manner, and with such streets, not more than ninety nor less than sixty 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 two acres in any out-lot; and the same being so surveyed and laid out, shall be called Kittanning, and the streets, lanes and alleys, within the town and out-lots, shall be and remain common highways forever.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the said trustees, or a major part 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, which sale shall be held at the house of James Sloan, in the said county, previous to which the said trustees shall advertise the same three times at least, in one or more of the newspapers printed in Pittsburgh, Washington, Greensburg, Lancaster and Philadelphia, three months before the day appointed for such sale; and before the advertisements are published as aforesaid, transmit a map or draft 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 other necessary public buildings, for the use of the county of Armstrong: Provided however, that before the aforesaid trustees shall proceed to the performance of any other of the duties hereby enjoined and required, they shall demand and receive a deed or deeds of conveyance, in fee simple, from James Armstrong and John Armstrong, agreeably to the terms expressed in the aforesaid obligation, for that purpose given, by the aforesaid James Armstrong to the governor; and shall procure the deed or deeds to be recorded in the office for recording of deeds, in the county of Westmoreland, and when the said trustees have so done, they shall have authority, and it shall be their duty, to make out and grant sufficient deeds, in fee simple, for the town-lots and out-lots by them sold in pursuance of this act.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the aforesaid trustees, or a majority of them, shall, within two years from and after the courts of law and board of commissioners shall have been established and opened by law, in and for said county, the said trustees shall surrender and convey to the said commissioners and their successors in office, in trust for the use of the county, all the trust and trusts vested in them, or in a majority of them, by this act; and the said commissioners of the county are hereby empowered and required, to do and perform the several duties which may remain to be done, as fully and effectually as the said trustees might or could have done; and the said county commissioners shall have power, and it shall be their duty, to call upon and compel the aforesaid trustees to settle their accounts, and to pay over the money to the county treasurer, if any such money remains in their hands, or in the hands of either of them, due to the county of Armstrong, from the sale of town-lots or out-lots aforesaid: Provided however, that any time before the said county of Armstrong is organized, 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 counties of Westmoreland and Armstrong, on the petition of fifty freeholders of the county of

Armstrong, to the said court, 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.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That each of the aforesaid trustees shall receive one dollar thirty-three cents, for every day he or they shall be employed in performing the duties of the aforesaid trust, together with all expenses 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 Armstrong.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the said trustees shall, as soon as may be, file a draft, 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.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That so much of the act passed March the twelfth, one thousand eight hundred,⁽²⁾ as authorises the commissioners therein named, to be trustees for the said county of Armstrong, is hereby repealed and made void.

Approved April 4, 1803. Recorded in L. B. No. 9, p. 237.

Note (1). Chapter 2296; Supra this volume, p. 146.

Note (2). Chapter 2130; 16 Statutes at Large, p. 454.

CHAPTER MMCCCXCV.

AN ACT MAKING CERTAIN APPROPRIATIONS, AND TO ENABLE THE GOVERNOR OF THIS COMMONWEALTH TO NEGOTIATE CERTAIN LOANS, AND FOR OTHER PURPOSES THEREIN MENTIONED.

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 governor of this commonwealth be, and he is hereby authorized to negotiate a loan,