

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hundred,⁽²⁾ as authorises the commissioners therein named, to be trustees for the said county of Armstrong, is hereby repealed and made void.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,

from the bank of Pennsylvania, or any other bank in the city of Philadelphia, for the sum of fifty thousand dollars, to be repaid in three months from the time such loan shall be obtained, out of such dividends upon bank stock as shall be due and payable to this commonwealth in July next; together with such sums, to be taken out of any monies then in the treasury as in addition to the said dividends, may be sufficient for that purpose; and to secure the repayment of the monies so as aforesaid borrowed, it shall and may be lawful for the governor to pledge as much of the bank stock, or deferred stock of the United States, the property of this state, with the bank as shall be a sufficient security for the repayment of the money so as aforesaid borrowed, which the bank making such loan is hereby authorized to receive and use for the purposes aforesaid; and the governor is hereby authorized and required, at the expiration of three months from the time the aforesaid loan shall be obtained, to discharge the same, by applying to that purpose the said dividends upon bank stock, and so much of such other monies as may then be in the treasury, as will be necessary for the discharge of the loan so made, the same being hereby appropriated for that purpose.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the monies procured on loan as aforesaid, shall be appropriated to the discharge of the debt heretofore contracted, and now growing due to the bank of Pennsylvania, and the governor is hereby authorized and required to apply the same to that purpose.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That as soon as any of the certificates issued in pursuance of the act, entitled "An act offering compensation to the Pennsylvania claimants, of certain lands within the seventeen townships, in the county of Luzerne, and for other purposes," passed the fourth day of April, one thousand seven hundred and ninety-nine,⁽¹⁾ shall be presented at the treasury for payment, it shall and may be lawful for the governor to negotiate on loan or loans of the bank of Pennsylvania, or of any other bank in the city of Philadelphia, at an interest not exceeding six per centum per annum, and pay-

able half-yearly, any sum or sums not exceeding in the whole one hundred thousand dollars, to be received of such bank, in such instalments as will answer the demands of the holders of the aforesaid certificates: Provided always nevertheless, that the loan so made shall not prevent the state from discharging each instalment in one year, from the time it was received from the bank; and the governor is hereby authorized to pledge from time to time, as he shall obtain loans as aforesaid, such amount of deferred stock of the United States, or bank stock the property of this state, as shall be deemed a sufficient security for the repayment and discharge of the loans so as aforesaid procured, which the bank making such loan is hereby authorized to receive and use for the purposes aforesaid.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That in case no such loan can be procured from any of the banks aforesaid, then and in such case it shall and may be lawful for the governor to sell, from time to time, as the same shall be necessary, so much of the deferred stock of the United States, the property of this state, not exceeding one hundred thousand dollars, as will be sufficient to discharge the certificates issued under the said act: Provided, that such sale be made at not less than at the rate of one dollar for every dollar of such stock so by him sold: And provided also, that such sale does not exceed the sum of one hundred thousand dollars.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That for the payment of the following debts and expenses of government, there be and is hereby appropriated, out of the funds for the support of government, the sum of twenty-four thousand one hundred and thirty-two dollars and fifty-two cents; that is to say, for the payment of certain certificates issued under the act, entitled "An act to provide for the settlement of the public accounts, and for other purposes therein mentioned," passed the fourth day of April, one thousand seven hundred and ninety-two,⁽²⁾ the sum of eight thousand four hundred and eighty-nine dollars and seventy-four cents, including the unexpended appro-

priation made on the sixth day of April last; for clerk hire, printing, stationery, attendants, expresses, fuel and other contingent expenses of the executive department for one year, from the first day of April, in the present year, the sum of three thousand dollars; for the payment of clerks in the office of comptroller general, in settling the accounts of the former and late comptroller generals, eight hundred dollars; for the office of surveyor general, to arrange and bring forward the business of that office, six hundred dollars, for which he shall account; for the purpose of clerk-hire in the office of the secretary of the land office, to select, arrange, endorse and file all the proprietary locations, and for other purposes, six hundred dollars; for the payment of clerk-hire in the register general's office, the sum of six hundred dollars; for the purpose of defraying the expense of one thousand copies of the laws, printed by Matthew Carey and John Bioren, agreeably to an act passed April sixth, one thousand eight hundred and two,⁽⁸⁾ ten thousand dollars, which sum of ten thousand dollars the governor is hereby authorized to cause to be paid to Matthew Carey and John Bioren, at such time as he may think advisable, provided the sureties of said Matthew Carey and John Bioren, for the performance of their contract, shall first approve of such advance; and for the purpose of discharging a debt due to Samuel Relf for newspapers furnished the last legislature, forty-two dollars and seventy-eight cents.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That the secretary of the commonwealth be directed to lay before the next general assembly, a particular account of the expenses of the executive department.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all warrants to be drawn on the treasury by the governor, for the sums of money appropriated by this act, shall be under the same regulations and restrictions, as are directed by law in other cases.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That all and singular, the powers and duties vested in the comptroller general and reg-

ister general and governor of the commonwealth, by the act, entitled "An act to facilitate the settlement of the accounts of former and present county treasurers, for arrears of state taxes," passed the fifth day of February, one thousand eight hundred and two,⁽⁴⁾ are hereby renewed and extended for one year, from and after the passing of this act.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the comptroller and register general, shall lay before the legislature, on the first day of January next, a statement of the progress made in the settlement of the accounts of the present and former county treasurers, for the arrears of state taxes, under the act, entitled "An act to facilitate the settlement of the accounts of the former and present county treasurers, for the arrearages of state taxes," passed February fifth, one thousand eight hundred and two.⁽⁴⁾

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That such of the certificates as were issued by virtue of the act of the first of March, one thousand seven hundred and eighty-six,⁽⁵⁾ as have not been exchanged or value given therefor by the commonwealth, and which consequently remain outstanding, shall be redeemed in the following manner, to wit: Upon the presentation of any of the aforesaid certificates for redemption, the register general is hereby authorized and directed to state an account, exhibiting the actual market price of the certificates, six per centum deferred, six per centum, and three per centum stock of the United States, which the holders of such certificates so presented as aforesaid would have been entitled to receive, in exchange for such certificates, if they had been presented for exchange previously to the passing of this act, which account shall be submitted to the judgment and revision of the comptroller general, in like manner as other accounts, who if he approve the same, shall inform the register general accordingly, but if the comptroller general disapprove thereof, he shall, after having in writing informed the register general of such his disapprobation and the reasons thereof, if they cannot then agree, transmit the same together with a statement of

his objections to the governor, who shall thereupon, after having enquired into the reasons of the comptroller general and register general, in support of their respective opinions, decide as the nature of the case may require, and return the said account and the vouchers thereof to the register general, who shall submit the same to the comptroller general: Provided always, that in all cases where the parties shall not be satisfied with the settlement of their respective accounts, in the manner aforesaid, or where there shall be reason to suppose that justice has not been done to the commonwealth, the governor may and shall, in like manner, and upon the same conditions as heretofore, allow appeals or cause suits to be instituted as the case may require.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That the governor shall draw warrants in favor of the parties on the state treasurer, for the amounts ascertained as aforesaid to be the actual market value of the aforesaid certificates of the United States, payable out of the sum of twenty thousand dollars, which is hereby appropriated as the fund for the payment of such warrants.

Section XII. (Section XII, P. L.) And be it further enacted by the authority aforesaid, That the comptroller general shall, and he is hereby directed, to deposit with the state treasurer, all such certificates of six per centum deferred, six per centum, and three per centum stock of the United States, which he hath received, or shall receive, from the late comptroller general, John Donaldson, esquire, for the purpose of exchanging the outstanding certificates, issued under the act of the first of March, one thousand seven hundred and eighty-six⁽⁵⁾ aforesaid.

Section XIII. (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That so much of any former act or acts of assembly, as authorize the governor to sell or transfer to the bank of Pennsylvania or to any individual, any of the stock of the United States, the property of this state, be and the same is hereby repealed.

Section XIV. (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That the comptroller general, and register general, be and they, or either of them, are hereby authorized and directed, to inspect and examine as often as they or either of them may think necessary the accounts of the state treasurer, on the books of the bank of Pennsylvania, and to adjust and settle the said accounts, in such manner and under the like restrictions and regulations as other accounts are by law directed to be adjusted and settled.

Approved April 4, 1803. Recorded in L. B. No. 9, p. 241.

Note (1). Chapter 2053; 16 Statutes at Large, p. 245.

Note (2). Chapter 1627; 14 Statutes at Large, p. 243.

Note (3). Chapter 2303; Supra this volume, p. 218.

Note (4). Chapter 2234; Supra this volume, p. 62.

Note (5). Chapter 1202; 12 Statutes at Large, p. 158.

CHAPTER MMCCCXCVI.

AN ACT FOR LAYING OUT COMPETENT DISTRICTS FOR THE APPOINTMENT OF JUSTICES OF THE PEACE.

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 different counties of this commonwealth, shall be respectively laid out into suitable districts, for the appointment of a competent number of justices of the peace, by the commissioners of each county respectively, agreeably to the rules hereinafter prescribed; and for this purpose it shall be the duty of the said commissioners to meet together on the fourth Monday of October next, and to continue from day to day, until they have completed a list or draught in numerical order, of the number of districts contained in their respective counties, and shall transmit a duplicate return of the same, containing the number and description of the bounds of each district, the number of taxable inhabitants, and the number of acting justices within each, and as near as may be the local residence of such justices, to the