

district commonly called Struck district aforesaid, which tickets shall not again be put in the wheel, but said lands shall be reserved for and granted to those who may have settled the same, agreeably to the aforesaid act<sup>(1)</sup> of the third day of April, one thousand seven hundred and ninety-two, and all such settlers who shall fully comply with the conditions of said act, and the subsequent acts relative to the disposal of the vacant lands within this commonwealth, shall obtain patents for the same, in the usual manner, and the officers of the land office on the application of any person holding donation lands by patent within the bounds aforesaid, or within that part usually called the triangle, and the applicant or applicants aforesaid, releasing his, her or their patent or patents to the commonwealth, shall have another unappropriated lot or lots of equal quantity; which said lot or lots shall be patented to the person or persons so releasing in the usual manner, and free of expense.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That this act and the "Act to complete the benevolent intentions of the legislature of this commonwealth, by distributing the donation lands to all who are entitled thereto," passed the second day of April, in the year one thousand eight hundred and two,<sup>(2)</sup> (excepting the limitation clause of the last recited act) shall be and continue in force until the first day of April, in the year one thousand eight hundred and six.

Approved March 25, 1805. Recorded in L. B. No. 10, p. 108.

Note (1). Chapter 1621; 14 Statutes at Large, p. 232.

Note (2). Chapter 2287. Supra this volume, p. 131.

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## CHAPTER MMDLXXIII.

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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,"<sup>(1)</sup> 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 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 Charles Campbell, Randel Loughlin and John Wilson, 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 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 for ever.

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 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 newspapers 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 building for the use of the county of Indiana: Provided, 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 Alexander Craig for George Clymer, agreeably to the terms expressed in the aforesaid obligation for that purpose, given by the aforesaid Alexander Craig for George Clymer, 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 one year from and after the courts of law and board of commissioners shall have been established and opened by law in and for said county, surrender and convey to the said commissioners, and their successors in office, in trust for the use of the county, all trusts vested in them, or 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 Indiana, from the sale of the town-lots or out-lots aforesaid: Provided, that at any time before the said county of Indiana 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 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.

Section IV. (Section IV, P. L.) 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 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 Indiana.

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 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.

Section VI. (Section VI, P. L.) 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,<sup>(1)</sup> as authorizes the commissioners therein named to be trustees for the said county of Indiana is hereby repealed and made void.

Approved March 25, 1805. Recorded in L. B. No. 10, p. 109.

Note (1). Chapter 2374; Supra this volume, p. 434.

The Act which appointed these commissioners (viz: William Jack, James Parr and John Pomroy), is Chapter 2374, viz., the Act of March 30, 1803, entitled "An Act to erect certain parts of Westmoreland and Lycoming counties, into a separate county," (P. L. 573). Supra this volume, p. 434. Evidently therefore the title as recited in the beginning of the act in the text is an error.