

CHAPTER MXLII.

1783.

An ACT to establish a ferry over the Allegheny river, at the town of Pittsburgh.

[THE right granted to lieutenant-colonel William Butler, and a lot assigned to him out of the reserved tract opposite Pittsburgh, to include the mouth of a small run opposite the town, for the purpose of erecting necessary buildings, to be surveyed, laid out, and paid for by him as the legislature should afterwards direct.]

Passed September 25th, 1783.—Recorded in Law Book No. II. page 190.

CHAPTER MXLIII.

An ACT to establish a ferry over the Monongahela river, at the New-Store.

[THE right vested in Mary M'Kay, widow, for the use of the two children of colonel Æneas M'Kay.]

Passed September 25th, 1783.—Recorded in Law Book, No. II. page 192.

CHAPTER MXLV.

An ACT for erecting part of the county of Westmoreland into a separate county.

SECT. I. WHEREAS a great number of the inhabitants of that part of Westmoreland county, circumscribed by the rivers Monongahela and Youghiogeny, and Mason and Dixon's line, have, by their petition, humbly represented to the Assembly of this state the great inconvenience they labour under, by reason of their distance from the seat of judicature in said county: For remedy whereof,

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That all and singular the lands lying within that part of Westmoreland county, bounded as herein after described, beginning at Monongahela river, where Mason and Dixon's line intersects the same; thence down said river to the mouth of Speir's run; thence by a straight line, to the mouth of Jacob's creek; thence by the Youghiogeny river to the forks of the same; thence up the south-west branch of the said river, by a part of Bedford county, to Mason and Dixon's line; thence by said line to the Monongahela river aforesaid; be and hereby are erected into a county, named, and hereafter to be called, Fayette county.

Boundaries
of the county
of Fayette
described.

its name.

SECT. III. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said county of Fayette shall at all times hereafter have and enjoy all and singular the jurisdictions, powers,

Privileges
declared.

1783. rights, liberties and privileges whatsoever, which the inhabitants of this state do, may, or ought to enjoy, by any charter of privileges, or the laws of this state, or by any other ways and means, whatsoever.

Manner of holding elections.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the inhabitants of each township or district within the said county, qualified by law to elect, shall meet at some convenient place within their respective townships or districts, at the same time the inhabitants of the several townships of the other counties within this state shall meet for like purposes, and choose inspectors, [and then and there elect one Representative to serve them in Assembly, one Counsellor,] two fit persons for Sheriffs, two fit persons for Coroners, and three Commissioners, in the same manner, and under the same rules, regulations and penalties, as by the constitution and laws of this state are directed in respect to other counties, which Representative, so chosen, shall be a member of the General Assembly of the commonwealth of Pennsylvania, and shall sit and act as such, as fully and as freely as any of the other Representatives of this state do, may, can, or ought to do, [and the said Counsellor, when so chosen, shall sit and act as fully and freely as any of the other members of the Supreme Executive Council of this state do, may, can, or ought to do.]

[Altered.]

[Altered by the constitution.]

Supreme Court to have jurisdiction.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the Justices of the Supreme Court of this state shall have like powers, jurisdictions and authorities, within the said county of Fayette, as by law they are vested with and entitled unto in the other counties within this state; and are hereby authorized and empowered, from time to time, to deliver the gaol of the said county of capital or other offenders, in like manner as they are authorized to do in other counties aforesaid.

[Altered by the constitution and judiciary laws.]

[SECT. IX. *Provided always,* That the Justices of the peace, commissioned at the time of passing this act, and residing within the county of Fayette, or any three of them, shall and may hold courts of General Quarter Sessions of the peace and General Gaol Delivery, and county courts for holding of Pleas; and shall have all and singular the powers, rights, jurisdictions and authorities, to all intents and purposes, as other the Justices of courts of General Quarter Sessions, and Justices of the county courts for holding of Pleas in the other counties, may, can or ought to have in their respective counties; which said courts shall sit and be held for the said county of Fayette on the Tuesday preceding the courts of Quarter Sessions and Common Pleas in Washington county in every year, at the school-house, or some fit place in the town of Union, in the said county, until a court-house be built; and when the same is built and erected in the county aforesaid, the said several courts shall then be holden and kept at the said court-house, on the days before mentioned.]

Times of holding courts.

Commissioners for purchasing a piece of ground.

SECT. X. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for Edward Cook, Robert Adams, Theophilus Philips, James Dougherty, and Thomas Rodgers, all of the aforesaid county, yeomen, or any three of them, to purchase and take assurance to them and their heirs, of a piece

of land, situated in Union town, in trust, and for the use of the inhabitants of the said county, and thereon to erect and build a court-house and prison, sufficient to accommodate the public service of the said county. 1783.

Passed 26th September, 1783.—Recorded in Law Book No. II. page 194. (r)

(r) The sections omitted in this act have become obsolete—as, sect. 5. To be represented by one member in the Assembly. 6. Taxes already assessed to be paid to Westmoreland. 8. Justices of the peace to be elected by the people. 11. How money was to be raised for purchasing public ground. 12. Not to exceed a certain sum. 13. Process in Westmoreland not to be discontinued. 14. Collector of excise to be appointed. 15. Who was to collect arrearages. 16. And to give security. 17. Sheriff of Westmoreland to officiate until the election in Fayette. 18. Trustees to run the boundary lines within a limited time. 19. Sheriff and Treasurer to give security, both of which are supplied.

By an act passed Feb'y 17th, 1784, (chap. 1057,) an additional part of Westmoreland county is added to Fayette, beginning at the mouth of Jacob's creek, thence up the main branch of said creek to Cherry's mill, thence along the road leading to Jones' mill, until the same shall intersect the line of Bedford county, (now Somerset,) thence southwesterly by the line of Bedford county aforesaid, until the same intersects the Youghiogeny river, thence down the said river to the place of beginning.

The commissioners of Fayette county were authorized to raise a further sum of money for the purpose of erecting public buildings for the use of said county, by act of Jan'y 19th, 1793, (chap. 1638.)

Union Town was incorporated by act of April 4th, 1796, (chap. 1899.)

Fayette county divided into four election districts by act of March 3d, 1790, (chap. 1473.)

Salt Lick township erected into a district, April 8th, 1799, (chap. 2049, sect. 2.)

Wharton township erected into a district, April 8th, 1799, (chap. 2050, sect. 7.)

Place of holding elections in the fourth district changed Dec'r 1st, 1800, (chap. 2142.)

Dunbar township annexed to the fourth district, April 5th, 1802, (chap. 2279.)

Franklin township erected into a district, and called the 7th district, Feb'y 1st, 1805, (chap. 2521.)

Place of holding elections in the sixth district changed April 11th, 1807, (chap. 2856, sect. 16.)

Washington township erected into a district March 28th, 1808, chap. 2972, sect. 19.)

By the last enumeration, the county of Fayette contained four thousand four hundred and fifty-four taxables; and, by act of March 21st, 1808, (chap. 2931,) apportioning the representation in pursuance thereof, sends three members to the House of Representatives, and one member to the Senate.

By the judiciary act of Feb'y 24th, 1806, (chap. 2634,) the counties of Beaver, Allegheny, Washington, Fayette and Greene form the fifth district. The term continues one week. The courts in Beaver commence on the first Mondays in January, August and November, and last Monday in March, and in the other counties in succession, as above named.

Fayette county composes part of the western district of the Supreme Court.

CHAPTER MXLVI.

An ACT for incorporating the Baptist church in the township of Montgomery, and county of Philadelphia.

Passed 26th September, 1783.—Private Act.—Recorded in Law Book No. II. page 200.