

said United States to possess, occupy and hold the said two outlots, so long as they may deem it expedient to maintain, and shall actually maintain, a fort, garrison or other military establishment on the hereby ceded premises, and no longer.

Provided, And it is the express intent and meaning of this act, that nothing herein contained shall be deemed, construed, or in anywise taken to cede and transefer unto the said United States the jurisdiction or right of soil, in and to the said two outlots, but only the occupancy and use thereof, for the purposes aforesaid.

Passed February 1, 1796. Recorded L. B. No. 6, p. 61.

CHAPTER MDCCCLXX.

AN ACT TO ERECT PART OF WASHINGTON COUNTY INTO A SEPARATE COUNTY.

[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 all that part of Washington county, lying within the limits and bounds hereinafter 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 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.

[Section II.] (Section II, P. L.) And be it further enacted by the authority of the same, That the inhabitants of the said county of Greene shall 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.

[Section III.] (Section III, P. L.) 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 such 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.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That no suit or prosecution which has been heretofore commenced, or 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.

[Section V.] (Section V, P. L.) 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.

[Section VI.] (Section VI, P. L.) 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.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the sheriff, treasurer, prothonotary, and all such officers as have heretofore usually given security 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, trusts and purposes, as such officers are obliged by law for the time being to do in the county of Washington.

[Section VIII.] (Section VIII, P. L.) 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 the similar officers shall be appointed, agreeably to law, within the said county of Greene.

[Section IX.] (Section IX, P. L.) 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, anything in this act to the contrary in any wise notwithstanding.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That David Grey, Stephen Gapin, Isaac Jenkinion, William Meetkirk 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 convey and lay out the same into town and outlots; and they, or a majority of them, are hereby authorized to sell at public auction, after due notice given in the public newspapers of the towns of Washington and Pittsburg, and convey in fee simple, clear of any reservations whatsoever, so many of said townlots and outlots as they may think proper, and with the moneys so arising from the sale of said lots, and with other moneys to be duly assessed, levied and collected, within the said county of Greene, for that purpose, to pay for the lands purchased as aforesaid, and to build and erect a court-house 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.

[Section XI.] (Section XI, P. L.) 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 sum, not exceeding three thousand dollars, as the trustees, or a majority of them, shall direct, in the same manner as 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.

[Section XII.] (Section XII, P. L.) 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.

[Section XIII.] (Section XIII, P. L.) 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.

[Section XIV.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That where 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.

[Section XV.] (Section XV, P. L.) 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 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.

[Section XVI.] (Section XVI, P. L.) 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 other counties of this state.

[Section XVII.] (Section XVII, P. L.) 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.

[Section XVIII.] (Section XVIII, P. L.) 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.

[Section XIX.] (Section XIX, P. L.) 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 will be held on the Mondays next following the courts of the county of Greene.

¹Chapter 1751.

Passed February 9, 1796. Recorded L. B. No. 6, p. 49, etc.

See Act of February 7, 1797, Chapter 1915, as to holding of court at Waynesburg. See Act of January 28, 1800, Chapter 2098, transferring powers of trustees.

CHAPTER MDCCCLXXI.

AN ACT TO AUTHORIZE OLIVER POLLOCK AND HENRY NEAFF TO ERECT WING-DAMS ON CONEDOGWINIT CREEK, IN THE COUNTY OF CUMBERLAND.

[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 Oliver Pollock, his heirs and assigns, be, and they are hereby, authorized and empowered to erect a wing dam on Conedogwinit creek, opposite his own land, in the county of Cumberland, to extend not more than half