

cers arising under this act, shall not be subject to taxation, for the use of this commonwealth.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the third day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER XLIX.

An ACT erecting part of Northampton into a separate county.

SECT. I. *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 Northampton county, lying and being within the limits of the following townships, to wit, the townships of Lynn, Heidelberg, Lowhill, Weissenburg, Macungie, Upper Milford, South Whitehall, North Whitehall, Northampton, Salisbury, Upper Saucon, and that part of Hanover within the following bounds, to wit, beginning at the Bethlehem line, where it joins the river Lehigh, thence along the said line until it intersects the road leading from Bethlehem to the Lehigh water gap, thence along said road to Allen township line, thence along the line of Allen township, westwardly, to the Lehigh, shall be, and the same are hereby, according to their present lines, declared to be erected into a county, henceforth to be called Lehigh.

Part of Northampton erected into a new county.

To be called Lehigh county.

To have similar courts, &c. with other counties.

Courts to be held in December next, at the house of G. Savetz.

SECT. II. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said county of Lehigh, be entitled to, and shall at all times hereafter, have, all and singular, the courts, jurisdictions, offices, rights and privileges, to which the inhabitants of other counties of this state are entitled, by the constitution and laws of this commonwealth.

SECT. III. *And be it further enacted by the authority aforesaid,* That from and after the third Monday in December next, the courts of common pleas and general quarter sessions, in and for the said county of Lehigh, shall be opened and held at the house now occupied by George Savetz, in the borough of Northampton, in the said county of Lehigh, until a court-house shall be erected in and for said county, as hereinafter directed; and shall be then held at said court-house.

This act not to affect suits, &c. already commenced.

SECT. IV. *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 Northampton, before the third Monday in December next, shall be delayed, discontinued, or affected by

this act, but the same process shall be issued, and the same acts done on all such suits and prosecutions, and on all judgments thereon, by the sheriff and coroner of Northampton county, as if this act had not been passed.

SECT. v. *And be it further enacted by the authority aforesaid,* That all taxes and arrears of taxes, laid, or which have become due within the county of Lehigh, before the passing of this act, and all sums of money due to this commonwealth for militia fines, in the said county of Lehigh, shall be collected and recovered, as if this act had not been passed.

Nor arrear-ages of taxes, &c.

SECT. vi. *And be it further enacted by the authority aforesaid,* That the sheriff, treasurer, prothonotary, and all such officers as have heretofore usually given surety for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Lehigh, before they or any of them shall enter into the execution thereof, shall give sufficient security, in the same manner and form, and for the same uses, trusts, and purposes, as such officers, for the time being, are obliged by law to do, in the county of Northampton.

Officers for Lehigh county to give bond, &c.

SECT. vii. *And be it further enacted by the authority aforesaid,* That the sheriff, coroner, and other officers of the county of Northampton, other than the justices of the peace, shall continue to exercise the duties of their respective offices, within the county of Lehigh, until similar officers shall be appointed, agreeably to law within said county.

Sheriff, &c. of Northampton to act in Lehigh county until successors be appointed.

SECT. viii. *And be it further enacted by the authority aforesaid,* That the inhabitants of the county of Northampton and Wayne, and of the county of Lehigh, shall jointly elect five representatives, and two senators, to serve in the legislature of this commonwealth, in the same mode, under the same regulations, and make return in the same manner, as is, or shall be directed by the laws of this commonwealth for conducting and making returns of the elections of the counties of Northampton and Wayne.

Inhabitants of Lehigh county to elect representatives, &c. as heretofore.

SECT. ix. *And be it further enacted by the authority aforesaid,* That the governor be, and he is hereby authorized and required, on or before the first day of May next ensuing, to appoint three discreet and disinterested persons, not resident in the county of Northampton, nor holding real property therein, whose duty it shall be, to fix upon a proper and convenient site for a court-house, prison, and county offices, within the aforesaid county of Lehigh, as near the centre as the situation thereof will admit; and the said persons, or a majority of them, having viewed the relative advantages of the several situations, contemplated by the people, shall, on or before the first day of July next, by a written report, under their hands and seals, or under the hands and seals of a majority of them,

Commissioners to be appointed.

Site to be fixed for a court house and prison, in a central situation.

And before the first of July next.

Commissioners to report to the governor.

Compensation to the commissioners.

Commissioners to purchase the site, &c.

And take assurance.

Buildings to be erected.

Expense of, to be defrayed by tax.

Congressional district.

Judges of the supreme court to have jurisdiction in Lehigh county.

Which is to be attached to the eastern district.

Associate judges to be appointed for.

When the courts shall be held in.

To constitute part of the 3d judicial district.

Judges to take the oaths, &c.

Which shall be recorded.

certify, describe and limit the site or lot of land which they shall have chosen for the purpose aforesaid, and shall transmit the said report to the governor of this commonwealth; and the persons so as aforesaid appointed, shall receive three dollars per diem for their services, out of the monies to be raised in pursuance of this act.

SECT. X. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of the county of Lehigh, which shall be elected at the next annual election, to take assurance of them or their successors in office, of such lot or piece of ground as shall have been approved of by the persons appointed as aforesaid, or a majority of them, for the purpose of erecting thereon a court-house, gaol and offices, for the safe-keeping of the records, and that for defraying the expenses thereof, the county commissioners are hereby authorized to assess, and levy, and collect, in the manner directed by the acts for raising county rates and levies, a sufficient sum, to defray the expenses thereof.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the said county of Lehigh shall form part of the district, to which the county of Northampton is, or may be attached, for the election of members of congress.

SECT. XII. *And be it further enacted by the authority aforesaid,* That the judges of the supreme court shall have like powers, jurisdictions, and authorities, within the said county of Lehigh, as by law they are vested with, and entitled to have and exercise in other counties of this state, and the said county is hereby annexed to the eastern district of the supreme court.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That two persons shall be commissioned associate judges of the court of common pleas, in and for the said county of Lehigh; and that courts of common pleas, and general quarter sessions of the peace, to be holden in and for said county of Lehigh, shall be opened on the Mondays next following the courts of Schuylkill county; and the said county of Lehigh shall be, and is hereby declared to belong to the third district, consisting of the counties of Berks, Northampton, Wayne, and Schuylkill.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That the persons who shall be appointed associate judges, for the county of Lehigh, shall take the requisite oaths or affirmations of office, before the prothonotary of the court of common pleas, of the county of Northampton; who shall file a record of the same, in the office of the prothonotary of the court of common pleas, of the county of Lehigh, who may be appointed at any time after the passing of this act; and all certioraries of, and appeals from, the judgment of any

justice of the peace, of the said county of Lehigh, and all criminal prosecutions, which may originate in the said county, before the teste day hereinafter mentioned, shall be proceeded in as heretofore, in the courts of common pleas, and quarter sessions, of the county of Northampton; and all process to issue from the courts of the said county of Lehigh, returnable to the first term in said county, shall bear teste as of the first Monday of October next.

Of certioraries and appeals.

And teste of process,

SECT. xv. *And be it further enacted by the authority aforesaid*, That the judges of the district elections, within each of the said counties, after having formed the returns of the whole election for senators and representatives, as the case may be, within that county, in such manner as is or may be directed by law, in each year, shall send the same by one or more of their number, to the court-house in the borough of Easton, in the county of Northampton aforesaid, when and where the judges so met, shall cast up the several county returns, and execute, under their respective hands and seals, as many true returns for the whole district, as may be requisite; and also transmit the same, as is by law required of the return judges in other districts.

Return judges to meet at Easton, &c.

SECT. xvi. *And be it further enacted by the authority aforesaid*, That in all cases where it would be lawful for the sheriff, * jailer, or prison-keeper, of the county of Lehigh, to hold in close custody, the body of any person in the common jail of the county of Lehigh; if such jail were at this time erected in, and for the said county of Lehigh; that all such persons shall be delivered to, and kept in close custody by the sheriff, jailer, or prison-keeper of the county of Northampton, who, upon delivery of such prisoner, to him or them at the common jail of said county of Northampton, shall safely keep her, him, or them, until they be discharged by due course of law; and shall also be answerable in like manner, and liable to the same pains and penalties, as if the persons so delivered were liable to confinement in the common jail of Northampton county; and the parties aggrieved, shall be entitled to the same remedies, against them, or any of them, as if such prisoner had been committed to his or their custody, by virtue of legal process issued by proper authority, in the said county of Northampton; *Provided always*, that the sheriff of Lehigh county be allowed, out of the county stock of Lehigh county, ten cents per mile, as a full compensation for every criminal he may deliver to the jail of Northampton county, by virtue of this act, on orders drawn by the commissioners of Lehigh county, on the treasury thereof.

Of prisoners.

Mileage to sheriff.

SECT. xvii. *And be it further enacted by the authority aforesaid*, That the sheriff, jailer, and prison-keeper of the county of Northampton, shall receive all such prisoners as aforesaid, and shall provide for them according to law, and shall be en-

Sheriff of Northampton to receive prisoners, &c.

Fees to be allowed.

And how paid.

Limitation of part of this act.

titled to the fees for keeping them; and also to such allowance as is by law directed for the maintenance of prisoners in similar cases; which allowance shall be defrayed and paid by the commissioners of the county of Lehigh, out of the county stock.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That the sixteenth and seventeenth sections of this act, shall be, and continue in force for the term of three years, and no longer.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixth day of March, one thousand eight hundred and twelve.

SIMON SNYDER.

CHAPTER L.

An ACT granting to John Brown, in trust for the children of Nathaniel Simpson, a tract of donation land, in right of Simpson Harris.

WHEREAS it has been represented to the legislature, by Nathaniel Simpson, late of Centre county, that his nephew, Simpson Harris, entered into the service of his country, at the commencement of the revolutionary war with Great Britain; that he enlisted as a private soldier, to serve during the said war; that he continued therein until his death, which took place some time in the latter end of the year, one thousand seven hundred and eighty-two, a few months before the close of said war; that previous to his death he made and published, in due form, his last will and testament, by which, (amongst other things,) he devised all the land to which he was entitled for the services aforesaid, to the said Nathaniel Simpson, his heirs and assigns; all which appears, by well authenticated documents, but owing to circumstances attending the case, the said Nathaniel did not apply for said land until barred by the act of limitation; Therefore,

SECT. 1. *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 officers of the land office, be and they are hereby authorized and required, to grant a patent to John Brown, of the borough of Lewistown, Mifflin county, in due form, for two hundred acres of donation land in trust for the children, their heirs or assigns, heirs of Nathaniel Simpson, out of the lots yet remaining undrawn; the said John Brown, his heirs, executors, and administrators, shall be authorized to pay the

Tract of land to be patented to J. Brown, in trust, &c.