

met, and it is hereby enacted by the authority of the same, That the act, entitled, " An act to incorporate the Phoenix Insurance company of Philadelphia, passed the sixth day of February, one thousand eight hundred and four, be and the same is hereby continued in full force and virtue, and in all its parts, for the term of twenty years from and after the first day of January, one thousand eight hundred and fifteen, as if the present period of its extension were a part of the above recited act: *Provided*, that if it shall at any time appear that the privileges hereby renewed and granted, are injurious to the interests of this commonwealth, the legislature shall be at liberty to annul them.

Act incorporat-
ing the Phoenix
Insurance com-
pany extended
twenty years
from the year
1815.

Proviso, for an-
nulling the char-
ter under certain
circumstances.

JOHN TOD, *Speaker*
of the House of Representatives.
P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of February, one thousand eight hundred and thirteen.

SIMON SNYDER.

CHAPTER LII.

An ACT erecting parts of Dauphin and Lancaster counties into a separate county, to be called Lebanon.

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 those parts of Dauphin and Lancaster counties lying and being within the limits following, *to wit*, beginning at the south-east corner of Dauphin county where it intersects the Berks county line, about four miles from Newmanstown; thence through Lancaster county, to a sand-stone house, formerly occupied by George Wyman, and including the same on the great road leading from Shæfferstown to Elizabeth Furnace; thence to a house formerly occupied by one Shroyer, deceased, and including the same on the great road leading from Lebanon to Manheim; thence to Snyder's mill on Conewago creek, excluding the same; thence northerly to the house of one Henry, at the cross roads leading from Harrisburg to Reading, including the same; thence to Racoon creek on the Blue or Kittatinny mountain; thence along the said mountain on the top thereof, to the Berks county line; thence along the said line to the place of beginning; shall be and the same are hereby, according to said lines, declared to be erected into a county, henceforth to be called Lebanon.

Bounds of the
county of Leba-
non described.

Name of county.

SECT. II. *And be it further enacted by the authority aforesaid*, That the inhabitants of the said county of Lebanon be entitled to, and shall at all times hereafter have all and singular the

Inhabitants to
enjoy similar
privileges to

those in other counties.

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.

Time of holding first courts and where.

SECT. III. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in December next, the courts of common pleas and general quarter sessions, in and for the county of Lebanon, shall be opened and held at any house for which the commissioners can agree with the owner or occupier, in the borough of Lebanon, in the said county of Lebanon, until a court house shall be erected in and for said county, as hereinafter directed, and shall be then held at said court house.

No prosecutions commenced prior to first Monday of December next, to be affected by this act.

SECT. IV. *And be it further enacted by the authority aforesaid,* That no prosecution which has been heretofore commenced, or which shall be commenced in the courts of the counties of Dauphin or Lancaster, on or before the said first Monday in December next, shall be delayed discontinued or affected by this act, but the same shall be proceeded in and carried into complete execution as if this act had not been passed.

Suits pending in Dauphin county on the first of November next, to be transferred to Lebanon county in certain cases, &c.

SECT. V. *And be it further enacted by the authority aforesaid,* That all suits which shall be pending and undetermined in the court of common pleas of Dauphin county, on the first day of November next, where the defendant or defendants in such suit or suits, shall at that time be resident in Lebanon county, shall be transferred to the court of common pleas of Lebanon county, and shall be considered as pending in said court, and shall be proceeded on, in like manner as if the same had been originally commenced in said court; except that the fees on the same, due to officers in Dauphin county, shall be paid to them, when recovered by the prothonotary or sheriff of Lebanon county; and the prothonotary of Dauphin county shall, on or before the third Monday in November next, purchase a docket, and copy therein all the docket entries respecting the said suits to be transferred as aforesaid; and shall on or before the first day of December next, have the said docket, together with the records, declarations, and other papers respecting said suits, ready to be delivered to the prothonotary of Lebanon county; the expense of said docket and copying, to be paid by the prothonotary of Lebanon county, and reimbursed by the said county of Lebanon, on warrants to be drawn by the commissioners of Lebanon, county, on the treasurer thereof.

Exceptions with respect to fees.

Docket to be provided, &c.

and how paid for.

Taxes and certain debts how to be recovered, &c.

SECT. VI. *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 Lebanon before the passing of this act, and all sums of money due to this commonwealth for militia fines, in the said county of Lebanon, shall be collected and recovered as if this act had not been passed.

SECT. VII. *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 Lebanon, 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 to give sureties in a form and manner similar to those given in Northampton county.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the sheriffs, coroners, and other officers of the counties of Dauphin and Lancaster, shall continue to exercise the duties of their respective offices within the county of Lebanon, until similar officers shall be appointed agreeably to law within said county; and the persons who shall be appointed associate judges for the county of Lebanon, shall take the requisite oaths or affirmations of office, before the prothonotary of the court of common pleas of the county of Dauphin, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the said county of Lebanon, 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 Lebanon, and all criminal prosecutions which may originate in the said county, before the test day hereinafter mentioned, shall be proceeded in as heretofore in the courts of common pleas and quarter sessions of the counties of Dauphin and Lancaster, as the case may be; and all process to issue from the courts of the said county of Lebanon, returnable to the first term in said county shall bear test as of the first day of November next.

Sheriffs, &c. of Dauphin and Lancaster to execute their official duties until similar officers are appointed in Lebanon county.

Before whom the associate judges to take official oaths and where to be recorded.

Certioraries, &c. originated before test day to be proceeded in as heretofore in Dauphin county.

Test day.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the inhabitants of the county of Dauphin and of the county of Lebanon, shall jointly elect three representatives, and one senator, 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 in the county of Dauphin, any thing in this act to the contrary notwithstanding.

Members of the legislature, how to be elected.

SECT. X. *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 Monday of December next ensuing, to appoint three discreet and disinterested persons, not resident in the counties of Lebanon, Dauphin, or Lancaster, 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 Lebanon, as near the centre as the situation

Governor to appoint commissioners to fix on a site for public buildings.

And report their proceedings to the governor.

Their compensation.

Commissioners of Lebanon county authorized to take assurances for land, &c.

Authorized to levy a tax to defray expenses of erecting public buildings.

Lancaster, Dauphin, and Lebanon, to form a district for electing members of congress.

Jurisdiction of the judges of supreme court extended to Lebanon county; and Lebanon annexed to the Lancaster district.

Time of holding courts of common pleas, and quarter sessions.

Length of court terms.

Lebanon attached to the 2d district.

Where the returns judges of election are to meet.

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 January next, by a written report under their hands and seals, or under the hands and seals of a majority of them, 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 two dollars and fifty cents per diem, for their services, out of the monies to be raised in pursuance of this act.

SECT. XI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of the county of Lebanon, which shall be elected at the next annual election, to take assurance to 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, jail, 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. XII. *And be it further enacted by the authority aforesaid,* That the said county of Lebanon shall form part of the district composed of the counties of Lancaster and Dauphin, for the election of members of congress.

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

SECT. XIV. *And be it further enacted by the authority aforesaid,* That the courts of common pleas, and general quarter sessions of the peace, to be holden in and for the said county of Lebanon, shall be opened on the Monday next ensuing the end of the second week of the terms in the county of Dauphin, and the term thereof shall continue two weeks if necessary, and be subject to the same regulations as in other counties of the said district agreeably to the existing laws and the said county of Lebanon, shall and is hereby declared to belong to the second district, consisting of the counties of Lancaster, York, and Dauphin.

SECT. XV. *And be it further enacted by the authority aforesaid,* That the judges of the district elections within each of the said counties of Dauphin and Lebanon, after having formed the returns of the whole election for senators and representa-

tives, as the case may be, within each county in such manner as is or may be directed by law, shall on the third Tuesday in October, in each year, send the same by one or more of their number, to the court house in the county of Dauphin, when and where the judges so met, shall cast up the several county returns, and execute under their respective hands and seals, as many 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.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That in all cases where it would be lawful for the sheriff, jailor, or prison keeper of the county of Lebanon to hold in close custody the body of any person, in the common jail of the county of Lebanon, if such jail were at this time erected in and for said county of Lebanon, that all such persons shall be delivered to and kept in close custody, by the sheriff, jailor, or prison keeper of the county of Dauphin, who upon delivery of such prisoner to him or them at the common jail of said county of Dauphin, shall safely keep him, her 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 person so delivered were liable to confinement in the common jail of Dauphin 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 Dauphin, the expense of keeping said prisoners to be paid by the county of Lebanon: *provided always,* that the sheriff of Lebanon county be allowed out of the county stock of Lebanon county, ten cents per mile, as a full compensation for every criminal he may deliver to the jail of Dauphin county, by virtue of this act, on orders drawn by the commissioners of Lebanon county, on the treasurer thereof.

Sheriff, &c. of Dauphin, required to receive prisoners from Lebanon county, and be liable for their safe keeping until legally discharged.

Parties aggrieved entitled to a remedy.

Expenses of keeping prisoners, to be paid by Lebanon county. Compensation to be allowed to sheriff of Lebanon county for removing prisoners to Dauphin county.

SECT. XVII. *And be it further enacted by the authority aforesaid,* That the sheriff, jailor, and prison keeper of the county of Dauphin, shall receive all prisoners as aforesaid, and shall provide for them according to law, and shall be entitled 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 Lebanon, out of the county stock.

Sheriff, &c. of Dauphin to receive and provide for prisoners, and be allowed for the same.

SECT. XVIII. *And be it further enacted by the authority aforesaid,* That all the paupers now in the poor house of Dauphin county, shall continue to be maintained therein, the expense of keeping those who were sent from that part of said county now included in Lebanon county, to be paid annually by the treasurer of Lebanon county, at the request of the directors of the

Paupers from Lebanon county to be kept and maintained in the poor house of Dauphin county: expense to be paid by Lebanon county.

poor of said county of Dauphin; and such paupers as may hereafter be in Lebanon county, shall be maintained and treated as was directed by law, before the erection of the house aforesaid.

SECT. XIX. *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, or until a jail shall be erected in the said county of Lebanon, and ready for the reception of prisoners, and approved of by the court and grand jury, who shall enter their approbation signed by them on the record of said court; and from thenceforth it shall be lawful for the sheriff of Lebanon county to receive all and every person or persons who may then be confined in the jail of Dauphin county, on legal process issued by proper authority from Lebanon county, and convey them to the jail of Lebanon county, and to keep them in custody until they shall be discharged by due course of law.

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

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

APPROVED—the sixteenth day of February, one thousand eight hundred and thirteen.

SIMON SNYDER.

CHAPTER LIII.

An ACT supplementary to an act, entitled, "A further supplement to the act, entitled, "An act for offering compensation to the Pennsylvania claimants, of certain lands in the seventeen townships in the county of Luzerne, and for other purposes therein mentioned."

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 the operation of the third and fourth sections of the act entitled, "A further supplement to the act, entitled, "An act for offering compensation to the Pennsylvania claimants of certain lands in the seventeen townships, of the county of Luzerne, and for other purposes therein mentioned," so far as the same requires the secretary of the land office to ascertain the principal and interest due on certain lands therein mentioned, on the first day of November, one thousand eight hundred and twelve, and from that time to charge interest on the aggregate sum, be and the same is hereby suspended until the first day of January, one thousand eight hundred and fifteen, and the fourth section of the act, entitled, "An act to revive and continue certain acts therein mentioned, relative to the patenting

Certain sections to be continued in force for three years, or until suitable buildings are erected.

Part of a certain act suspended until 1st January, 1815.

Certain act repealed.