

part of the purchase money, with the lawful interest thereon due for patenting the same, to make and execute to Amza B. Baldwin and Summers Baldwin, a deed of conveyance for all the right, title, estate and interest, which the aforesaid Jeremiah Coleman had in his life time to the one fourth part of lot number forty, in the second tier, fifth division of lots in Plymouth township, Luzerne county, which deed shall vest the title as fully in the said Amza B. Baldwin and Summers Baldwin, as if the said Jeremiah Coleman had conveyed the same in his life time : *Provided*, That nothing herein contained, shall affect or impair the right of any other individual or individuals.

The executors of Roswell Welles, &c. to give a deed to Amza B. Baldwin, &c.

Proviso.

JOHN ST. CLAIR, *Speaker*
of the House of Representatives.

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

APPROVED—the twenty-sixth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CXIX.

An ACT erecting part of Wayne county 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 Wayne county lying south and east of a direct line from the lower end of Big Eddy on Delaware river, to the mouth of Wallenpaupack creek, and thence up the same to the main forks thereof, thence up the south branch to where the most southern branch crosses the north and south road, from thence due west, to the line of Luzerne county, be and the same is hereby declared to be erected into a county henceforth to be called Pike.

Part of Wayne county erected into a new one to be called Pike.

SECT. II. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said county of Pike from and after the first day of October next, shall be entitled to, and at all times thereafter, shall 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, excepting that there shall be but two courts of common pleas and general quarter sessions held in and for said county of Pike in each year.

Rights & privileges of the inhabitants of Pike county.

SECT. III. *And be it further enacted by the authority aforesaid,* That from and after the first Monday of October next, the courts of common pleas and general quarter sessions in and for the said county of Pike shall be opened and held at such house as

When and where the courts of common pleas shall be opened and held.

may be designated by the commissioners of said county to be elected at the next general election in the town of Milford in the county of Pike, until a court house shall be erected in and for said county as hereinafter directed and shall be then held at said court house.

Suits commenced in Wayne county before the 1st of October next shall not be affected by this act.

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 Wayne before the first Monday of October next shall be delayed, discontinued or affected by this act, but the same shall be completed and carried into execution by the sheriff and coroner of Wayne county as if this act had not been passed.

Of the collection of taxes and militia fines.

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

One half of the taxes collected in Pike county by the commissioners of Wayne to be paid to the treasurer of Pike, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of the county of Wayne, on the second Monday of November next, to make out a statement, exhibiting the amount of taxes levied before the passing of this act, and not paid in, and the monies in the treasury, collected for taxes levied as aforesaid, and shall deduct from said amount, all debts due from said county at this time, and after ascertaining the surplus funds, shall direct their treasurer to pay over to the treasurer of the county of Pike, when appointed, one half thereof, deducting therefrom, the lawful expense of collecting the same: *provided always,* that if the said surplus shall not all at that time have been received into the treasury, the said treasurer shall make payment as aforesaid, only on such part as has been received, and shall thereafter render to the treasurer of the county of Pike, within one year, a regular statement of all expense for collecting, and pay over the one half thereof, as aforesaid.

Reviso.

All officers of Pike county to give security, &c.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the sheriff, treasurer, prothonotary and all such officers as are by law required to give surety for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Pike, before they or any of them shall enter on 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 Wayne.

All officers of Wayne to have jurisdiction in Pike until, &c.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That the sheriff, coroner and other officers of the county of Wayne, shall continue to exercise the duties of their re-

spective offices within the county of Pike until similar officers shall be appointed agreeably to law, within said county.

SECT. IX. *And be it further enacted by the authority aforesaid,* That John K. Woodward be and he is hereby authorized and required to run and mark the division line between the counties of Wayne and Pike, and shall on the second Monday in September next commence the said line at the lower end of Big Eddy on Delaware river and run thence according to the true intent and meaning of this act, or in case of the death, removal or inability of the said John K. Woodward, then and in such case the said vacancy so occasioned shall be supplied by the commissioners of the counties of Wayne and Pike, for which services he shall be paid at the rate of three dollars per diem with the necessary expenses out of the treasury of the county of Wayne.

John K. Woodward authorized to run and mark the division line between Wayne and Pike counties.

SECT. X. *And be it further enacted by the authority aforesaid,* That where the division line shall divide a township, the part of the township thus divided which shall remain in Wayne county shall be a township, and the part of the township thus divided which shall be in the county of Pike shall be a township, and each part shall retain its original name until the same shall be altered by the courts of general quarter sessions of the said counties respectively.

Of townships when divided by the county line.

SECT. XI. *And be it further enacted by the authority aforesaid,* That the several election districts which shall be in the county of Pike which were erected before the passing of this act, be and the same are hereby erected into election districts for the county of Pike, and that the townships of Salem, Palmyra and Lackawaxen be and they are hereby erected into a separate election district, and the electors thereof shall hold their elections at the house of Ephraim Kimble in Palmyra township.

Of election districts.

SECT. XII. *And be it further enacted by the authority aforesaid,* That the inhabitants of the county of Wayne and of the county of Pike shall elect members of congress and members of the legislature of this commonwealth, and shall hold their elections in the same mode under the same regulations and make return in the same manner as is directed by the laws of this commonwealth for conducting and making returns of the elections of the county of Wayne: *provided always,* that the returns from the several election districts in the county of Wayne, shall, instead of being transmitted directly to Easton as heretofore, be on the Saturday next after such election, forwarded to the seat of justice of the county of Pike, there to be received by a person appointed in the same manner and for the same purposes as is at the time of passing this act provided by law for transmitting election returns for the county of Wayne to the court house in the borough of Easton.

The mode in which members of congress &c. shall be elected

P:oviso.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That the governor be and he is hereby authorized and required after the first day of June next ensuing, to appoint three discreet

Governor to appoint persons to fix on a site for the seat of justice of Pike county.

and disinterested persons not resident in the counties of Northampton, Wayne or Lehigh, 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 Pike, as near the centre thereof as circumstances will admit, having regard to the convenience of roads, territory, population and the accommodation of people of the said county generally; and 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 August next by a written report under their hands or 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 each receive three dollars per diem for their services out of the treasury of the county of Wayne: *provided always*, that before the commissioners shall proceed to perform the duties enjoined on them by this act, they shall take an oath or affirmation before some judge or justice of the peace well and truly and with fidelity to perform said duties without favour to any person, according to the true intent and meaning of this act: *provided also*, that if the inhabitants of the town of Milford and others shall before the first day of June next subscribe and pay in or give sufficient surety for the payment thereof to the commissioners of the county of Wayne, a sum not less than fifteen hundred dollars for the use of the county of Pike in aid of funds for erecting public buildings for the said county, then the centre square in the town of Milford shall be the site for the seat of justice, and in that case the commissioners aforesaid shall not be appointed.

And report to the governor.

Proviso.

Provided also.

SECT. XIV. *And be it further enacted by the authority aforesaid*, That the commissioners of the county of Pike who shall be elected at the next general election, shall, within thirty days from and after such election, meet and make the necessary arrangements preparatory to the erection of a court house, and to accommodate the courts until the said court house can conveniently be erected, the commissioners aforesaid shall immediately provide for that purpose a suitable and convenient house in the said town of Milford, and shall immediately proceed to erect a good and sufficient jail in the said town of Milford, and also provide suitable offices for the safe keeping of the records.

SECT. XV. *And be it further enacted by the authority aforesaid*, That in order that the county of Wayne shall as nearly as may be bear one half of the expense of erecting public buildings in the county of Pike equal to those at Bethany, the commissioners of the county of Wayne shall direct their treasurer to pay over to the treasurer of the county of Pike in four equal quarterly payments the sum of one thousand seven hundred and fifty dollars.

Of a court house and jail.

The county of Wayne to bear half of the expense in erecting public buildings in Pike county.

SECT. XVI. *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 Pike 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 an-
 nexed to the eastern district of the supreme court.

The jurisdiction
 of the supreme
 court,

SECT. XVII. *And be it further enacted by the authority aforesaid,*
 That the county of Pike after the first of October next shall be
 and hereby is attached to and made a part of the eleventh judi-
 cial district, and after the present year the courts of quarter ses-
 sions and common pleas in said district shall be held as follows,
to wit: in the county of Luzerne on the first Mondays of Janu-
 ary, April, August and November; in the county of Pike on the
 third Mondays of January, April, August and November; in the
 county of Wayne on the fourth Mondays of January, April, August
 and November; in the county of Susquehanna on the first Mondays
 after the courts in Wayne; in the county of Bradford on the first
 Mondays after the courts in Susquehanna; and in the county of
 Tioga on the first Mondays after the courts in Bradford.

Pike county at-
 tached to the
 eleventh judicial
 district.

The time for
 holding courts
 therein.

SECT. XVIII. *And be it further enacted by the authority aforesaid,*
 That all the certioraries directed to, and appeals from the judg-
 ment of any justice of the peace of the said county of Pike, 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 ses-
 sions, of the county of Wayne, and all process to issue from the
 courts of the said county of Pike, returnable to the first term in
 said county, shall bear test as of the first Monday in October
 next.

Of certioraries
 and judgments
 before the test
 day.

SECT. XIX. *And be it further enacted by the authority aforesaid,*
 That in all cases when it would be lawful for the sheriff, jailor or
 prison keeper of the county of Pike, to hold in close custody the
 body of any person in the common jail of the county of Pike, if
 such jail were as this time erected in and for the said county of
 Pike, all such persons shall be delivered to and kept in close cus-
 tody by the sheriff, jailor or prison keeper of the county of
 Wayne, who upon delivery of such prisoner to him or them at
 the common jail in said county of Wayne 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 Wayne 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 of
 the said county of Wayne: *Provided always,* That the sheriff of
 Pike county be allowed out of the county stock of said coun-
 ty, eight cents per mile, as a full compensation for every cri-
 minal he may deliver to the jail of Wayne county by virtue of

Prisoners of
 Pike county to
 be kept in cus-
 tody by the she-
 riff &c. of
 Wayne county.

Of grievance.

Proviso.

this act on orders drawn by the commissioners of Pike county on the treasurer thereof.

SECT. XX. *And be it further enacted by the authority aforesaid,* That the sheriff or jailor of the county of Wayne, 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 maintenance of prisoners in similar cases, which allowance shall be defrayed and paid by the commissioners of the county of Pike out of the county stock.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That the nineteenth and twentieth sections of this act shall be and continue in force for the term of three years, or until the commissioners of Pike county shall have certified to the sheriff that a jail is 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 Pike county to receive all and every person or persons who may then be confined in the jail of Wayne county, and convey them to the jail of Pike county, and to keep them in custody until they shall be discharged by due course of law.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners of the county of Wayne, to deliver to the commissioners of the county of Pike, when elected, all maps, charts, records and papers, which may of right belong to the county of Pike, or any office therein.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That so much of any act or acts of Assembly as is hereby altered or supplied, be, and the same hereby is repealed.

JOHN ST. CLAIR, *Speaker*
of the House of Representatives.

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

APPROVED—the twenty-sixth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CXX.

An ACT to authorize the governor to incorporate a company for opening a Lock Navigation on Nesbaming creek in Bucks county from the tideway to Bridgetown on said creek.

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 Anthony Taylor, John Hulme, Jonathan Buckman and Joseph Richardson, junior, be, and they are hereby appointed com-

The sheriff of Wayne to provide for prisoners.

Limitation of the nineteenth and twentieth sections of this act.

Papers &c. belonging to the county of Pike to be delivered to the officers thereof &c.

Repealing clause.

Commissioners named.