

any other person or persons in or to any part of the lands mentioned, or intended to be mentioned herein, but that the right and title of all such other persons shall remain of the same force and effect, as if this act had not been passed.

JOSEPH LAWRENCE, *Speaker*  
of the House of Representatives.

ISAAC WEAVER,  
*Speaker of the Senate.*

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

WILLIAM FINDLAY.

CHAPTER LXVIII.

*AN ACT*

Erecting part of Cumberland county, into a separate county to be called Perry.

Boundaries  
of Perry  
county.

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 from and after the first day of September next all that part of Cumberland county lying north of the Blue mountain, beginning on the summit of the Blue mountain, where the Franklin county line crosses the same, and running thence along the summit thereof an eastwardly course to the river Susquehanna, thence up the west side of the same to the line of Mifflin county, thence along the Mifflin county line to the summit of the Tuscarora mountain, thence along the summit of the same to the Franklin county line, thence along the same to the place of beginning, be and the same is hereby declared to be erected into a separate county to be called Perry.

Organization  
to commence  
Sept. 1, 1820.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said county of Perry from and after the first day of September next, shall be entitled to and at all times thereafter 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.

Courts to  
open in  
Landisburg  
pro tem.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the several courts in and for the said county of Perry, shall be opened and held at such house in the town of Landisburg, as may be designated by the commissioners of said county, to be elected at the next general election, until a court house shall be erected in and for said county, as

is hereinafter directed, and shall be then held at said court house, at which place the returns of the general election in and for the county of Perry, shall be made.

SECT. 4. *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 Cumberland county, on the first day of September next, where both parties in such suit or suits shall at that time be resident in the county of Perry, shall be transferred to the court of common pleas of Perry 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 the officers of Cumberland county, shall be paid to them when recovered by the prothonotary or sheriff of Perry county; and the prothonotary of Cumberland county shall on or before the first day of September 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 November next, have the said docket, together with the records, declarations and other papers respecting said suits, ready to be delivered to the prothonotary of Perry county; the expense of said docket and copying to be paid by the prothonotary of Perry county, and reimbursed by the said county of Perry, on warrants to be drawn by the commissioners of Perry county on the treasurer thereof.

Certain suits pending in Cumberland to be removed to Perry.

Prothonotary of Cumberland to procure a docket

SECT. 5. *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 Perry before the passing of this act, and all sums of money due to this commonwealth for militia fines in the said county of Perry, shall be collected and recovered as if this act had not been passed: *Provided always,* That the money arising from county taxes assessed or to be assessed within the limits of the county of Perry, subsequently to the first day of November last, shall from time to time, as the same may be collected, be paid into the treasury of the county of Cumberland for the use and benefit of the county of Perry; until a treasurer shall be appointed in the county of Perry, and the treasurer of the county of Cumberland shall keep separate accounts thereof, and pay the same to the treasurer of the county of Perry as soon as he shall have been appointed; and whatever part of said taxes may remain uncollected in the county of Perry at the time of the appointment of the treasurer thereof, the same shall be collected in the usual manner, and paid into the treasury of the county of Perry.

Taxes.

Militia fines.

Proviso.

SECT. 6. *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

Officers of county of

Perry to give security.

Perry, 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 give in the county of Cumberland.

Officers of Cumberland to exercise their duties a certain time.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the sheriff, coroner and other officers of the county of Cumberland, shall continue to exercise the duties of their respective offices within the county of Perry, until similar officers shall be elected or appointed, as the case may be, agreeably to law within the said county; and the persons who shall be appointed associate judges for the county of Perry, shall take and subscribe the requisite oaths or affirmations of office before the prothonotary of the court of common pleas of the county of Cumberland, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the county of Perry.

Prothonotary to administer oaths of office.

Perry county to have one Representative.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the inhabitants of the county of Perry shall elect one representative and the county of Cumberland two, until otherwise altered, and in conjunction with Cumberland county one senator to serve in the legislature of this commonwealth in the same mode, under the same regulations, and make return thereof in the same manner, as is directed by the fifteenth section of this act.

Gov. to appoint 3 persons to fix a scite for court house.

Duty of commissioners appointed to fix the scite.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the Governor be and he is hereby authorised and required, on or before the first day of September next ensuing, to appoint three discreet and disinterested persons, not resident in the counties of Cumberland or Perry, whose duty it shall be, to fix on a proper and convenient scite for a court house, prison and county offices within the aforesaid county of Perry, as near the centre thereof, as circumstances will admit, having regard to the convenience of roads, territory, population and the accommodation of the 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 September next, by a written report under their hands or under the hands of a majority of them, certify, describe and limit the scite 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 monies to be raised in pursuance of this act: *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 favor to any person, according to the true intent and meaning of this act.

Proviso.

SECT. 10. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the commissioners of the county of Perry who shall be elected at the next annual election, to take assurance to them and their successors in office of such lot, or lots 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 safekeeping of the records; and the county commissioners are hereby authorised to assess, levy and collect in the manner directed by the acts for raising county rates and levies, a sufficient sum to defray the expenses thereof, and also are hereby authorised to assess, levy and collect for the purpose of building a court house and prison, which they are hereby authorised to erect, a sufficient sum to defray the expenses thereof.

Commissioners to take a deed for public ground.

Assess, levy and collect taxes.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the said county of Perry shall form a part of the district composed of the counties of Cumberland, Franklin and Adams for the election of members of congress.

Congressional district.

SECT. 12. *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 Perry, 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 southern district of the supreme court.

Powers of the supreme court.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the county of Perry shall be annexed to and compose part of the ninth judicial district of this commonwealth, and the courts in said county of Perry shall be held on the Monday after the courts in Franklin county.

Perry to be long to 9th judicial district.

SECT. 14. *And be it further enacted by the authority aforesaid,* That all certioraries directed to and appeals from the judgment of any justice of the peace of the said county of Perry, 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 county of Cumberland, and all process to issue from the courts of the said county of Perry, returnable to the first term in said county, shall bear test on the third Monday of November next.

Certioraries and appeals.

SECT. 15. *And be it further enacted by the authority aforesaid,* That the judges of the district elections within each of the said counties of Cumberland and Perry after having formed the returns of the whole election for senator 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 borough of Carlisle in the county of Cumberland, when and where the judges so met shall cast up the several county returns, and execute under their respective hands as many

Elections.

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. 16. *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 Perry, to hold in close custody the body of any person in the common jail of the said county, if such jail were at this time erected in and for the said county, such persons shall be delivered to and kept in close custody by the sheriff, jailor or prison keeper of the county of Cumberland, who upon delivery of such prisoner, to him or to them at the common jail in said county of Cumberland, 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 persons so delivered were liable to confinement in the common jail of Cumberland 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 Cumberland: *Provided always,* That the sheriff of Perry county be allowed out of the county stock of said county; ten cents per mile as a full compensation for every person charged with a criminal offence which he may deliver to the jail of Cumberland county by virtue of this act, on orders drawn by the commissioners of Perry county on the treasury thereof.

Prisoners to be kept in Cumberland jail, pro tem

Proviso.

SECT. 17. *And be it further enacted by the authority aforesaid,* That the sheriff, jailor and prison keeper of the county of Cumberland 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 Perry out of the county stock.

Jailor's fees, how paid.

SECT. 18. *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 the commissioners of Perry county shall have certified to the court, that a jail is erected 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 Perry county, to receive all and every person or persons who may then be confined in the jail of Cumberland county, in pursuance of this act; and convey them to the jail of Perry county, and to keep them in custody until they be discharged by due course of law.

Prisoners to be kept 3 years in Cumberland jail.

SECT. 19. *And be it further enacted by the authority aforesaid,* That the poor-house establishment, which will be included in the county of Perry, shall be and continue to be con-

Poor-house.

ducted as heretofore for the term of four years, from and after the passage of this act, and at the expiration of the said four years, the commissioners of Cumberland county shall remove their paupers into their own county.

JOSEPH LAWRENCE, *Speaker*  
of the House of Representatives.

ISAAC WEAVER,  
*Speaker of the Senate.*

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

WILLIAM FINDLAY:

## CHAPTER LXIX.

### *AN ACT*

To authorise Hugh Means to sell a tract of land belonging to the heirs of Thomas Woods, deceased.

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 Hugh Means, of Mercer county, be, and he is hereby authorised and empowered to sell, grant and convey all the right, title, interest, claim and estate of the heirs and legal representatives of Thomas Woods, late of Bedford county, deceased, of, in or to a certain tract of land, situate on the waters of Chartier's run, in Westmoreland county, granted by the Commonwealth of Pennsylvania to the said Thomas Woods, by patent, bearing date on the thirteenth day of April, one thousand seven hundred and eighty-five, and to receive and distribute the purchase money thereof, amongst the said heirs and legal representatives of Thomas Woods, deceased.

Hugh Means authorised to sell certain land.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the said Hugh Means shall before he proceeds to sell and convey the said tract of land, enter into a recognizance with one or more sufficient sureties, to be approved of by the orphan's court of Westmoreland county, conditioned for the faithful execution of the trust hereby reposed in him, and for the due distribution of the money arising from the sale of the said estate, to and amongst the heirs and legal representatives of the said Thomas Woods, deceased: *And provided always,* That nothing herein contained shall be so con-

To give security.