

No. 66.

AN ACT

To extend the charter of the Commercial bank of Pennsylvania.

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 act, entitled "An act to re-charter certain banks," approved the twenty-fifth day of March, one thousand eight hundred and twenty-four, be and the same is hereby extended for and during the term of ten years, from and after the first Wednesday in May, one thousand eight hundred and thirty-five, so far as the provisions of said act relate to the Commercial bank of Pennsylvania: *Provided* Extended ten years from May, 1835. *nevertheless,* That said bank shall be subject to such alterations, provisions and restrictions, as the legislature may at any time hereafter think proper to enact for the better regulating of the banking institutions of this commonwealth; and also to all requisitions as to a bonus or premium to be paid to the commonwealth, as a consideration for the privileges herein granted, as now by law are demanded, or as the legislature may at any time hereafter demand. Proviso. Subject to restrictions, requisitions, &c.

SECT. 2. *And be it further enacted by the authority aforesaid,* That from and after the first day of December next, no officer in said bank, except the president and directors, shall be permitted to own, either directly or indirectly, any share or shares of the capital stock of said bank, under pain of forfeiture of all stock so held to and for the use of the said bank. After 1st December certain officers not to hold stock.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The second day of March, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

 No. 67.

AN ACT

Erecting all that part of Mifflin county, south and east of the Black Log and Shade mountains, into a separate county, to be called Juniata.

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 all that part of Mifflin county, laying south and east of a line, beginning on the summit of Black Log moun-

Boundaries
of Juniata
county.

tain, where the Huntingdon county line crosses the same, and running thence along the summit thereof, to the Juniata river; thence across the same to a marked Black Oak, standing by the road, on the north side of said river, about the middle of the Long Narrows, known as a line tree, between Derry and Fermanaugh townships, in said county; thence along the summit of Shade mountain, to the line of Union county; and thence along said line down Mahantango creek, to the Susquehanna river, shall be and the same is hereby declared to be erected into a separate county, to be called Juniata.

County estab-
lished from
and after 1st
September.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said county of Juniata, 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.

County com-
missioners to
designate tem-
porary place
of holding
courts.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the several courts, in and for the said county of Juniata, shall be opened and held at such house 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 the said county, as is hereinafter directed, and shall be then held at said court house.

Division of
pending suits
on 1st Sept.

SECT. 4. *And be it further enacted by the authority aforesaid,* That all suits and cases which shall be pending and undetermined in the several courts of Mifflin 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 Juniata, shall be transferred to the respective courts of Juniata 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 courts, except that the fees on the same due to the officers of Mifflin county, shall be paid to them when recovered by the prothonotary or sheriff of

Fees due.

Prothonotary
of Mifflin to
prepare dock-
et for new
county by 1st
August.

Juniata county; and the prothonotary of Mifflin county, shall on, or before the first day of June next, purchase dockets and copy therein all the docket entries respecting the said suits and cases, to be transferred as aforesaid; and shall on, or before the first day of August next, have the said docket, together with the records, declarations and other papers respecting the said suits and cases, ready to be delivered to the prothonotary of Juniata county; the expenses of said dockets and copying, to be paid by the said county of Juniata, on warrants to be drawn by the commissioners of Juniata county, on the treasurer thereof.

At the ex-
pense of Juni-
ata county.

Collection of
arrears of tax-
es and militia
fines.

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 Juniata, before the passing of

this act, and all sums of money due to this commonwealth for militia fines, in said county of Juniata, shall be collected and recovered as if this act had not been passed: *Provided always*, That the money arising from the county taxes assessed, or to be assessed, within the limits of the county of Juniata, 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 Mifflin for the use and benefit of the county of Juniata, until a treasurer shall be appointed in the county of Juniata; and the treasurer of the county of Mifflin, shall keep separate accounts thereof, and pay the same to the treasurer of the county of Juniata as soon as he shall have been appointed; and whatever part of said taxes that have been assessed since the first of November last, may remain uncollected in the county of Juniata, 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 Juniata.

Proviso.
Certain funds of Juniata to be paid over to treasurer of Mifflin for use of Juniata.

Uncollected taxes assessed since 1st November, transferred.

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 Juniata, 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 Mifflin.

Security to be given by county officers.

SECT. 7. *And be it further enacted by the authority aforesaid*, That the sheriff, coroner and other officers of the county of Mifflin, shall continue to exercise the duties of their respective offices within the county of Juniata as heretofore, 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 Juniata, shall take and subscribe the requisite oaths or affirmations of office before the prothonotary of the court of common pleas of the county of Mifflin, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the county of Juniata, who may be appointed at any time after the passing of this act.

Officers of Mifflin to act until new officers are appointed in Juniata.
Associate judges to be sworn in Mifflin.
Prothonotary to file oaths in Juniata.

SECT. 8. *And be it further enacted by the authority aforesaid*, That the inhabitants of the county of Mifflin and of the county of Juniata shall, jointly, elect two representatives, and in conjunction with Huntingdon and Cambria counties, one senator, to serve in the legislature of this commonwealth, in the same mode, under the same regulations, and make returns in the same manner as is or shall be directed by the laws of this commonwealth for conducting and making re-

Election of senator and representatives.

turns of the election of the county of Mifflin, any thing in this act to the contrary notwithstanding.

Governor to appoint three commissioners to fix on scite for seat of justice.

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 May next, ensuing, to appoint three discreet and disinterested persons, not resident in the counties of Mifflin or Juniata, 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 Juniata, 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 July 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 moneys 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.

To report by 1st of July.

Compensation.

Proviso.

To be under oath.

County commissioners to take deeds for ground fixed on.

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 Juniata, 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 safe keeping of the records; and the county commissioners are hereby authorised to assess, levy and collect in the manner directed by the act 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.

To assess &c. taxes to defray expenses and to erect public buildings.

Election of members of congress.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the said county of Juniata, shall form a part of the district composed of the counties of Huntingdon, Centre, Mifflin and Clearfield, for the election of members of congress.

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 Juniata, 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 middle district of the supreme court.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the county of Juniata, shall be annexed to and compose part of the twelfth judicial district of this commonwealth, and the courts in said county of Juniata, shall be held on the first Mondays of February, May, September and December, in each and every year, and to continue one week at each term, if necessary.

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

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 Mifflin and Juniata, after having formed the returns of the whole election for senators and representatives 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 borough of Lewistown, in the county of Mifflin, 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 to 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 Juniata, 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 person shall be delivered to and kept in close custody by the sheriff, jailor or prison keeper of the county of Mifflin, who, upon delivery of such prisoners to him or them at the common jail in said county of Mifflin, shall safely keep him, her or them; until they be discharged by the due course of law; and shall also be an-

Supreme court.
Juniata annexed to middle district.

And to 12th judicial district.
Time of holding courts.

Certioraries, appeals, &c. prior to teste day to be proceeded in as heretofore.

Testo day.

Place of meeting of return judges of general elections.

Prisoners of Juniata to be kept in the Mifflin county jail.

swerable 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 Mifflin 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 Mifflin: *Provided always*, That the sheriff of Juniata 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 Mifflin county, by virtue of this act, on orders drawn by the commissioners of Juniata county on the treasurer thereof.

Proviso.
Mileage of
sheriff.

And prison
expenses to be
paid by com-
missioners of
Juniata.

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

The two pro-
ceeding sec-
tions to re-
main in force
until new
prison is
ready.

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 Juniata 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 records of said court; and from thenceforth it shall be lawful for the sheriff of Juniata county, to receive all and every person or persons who may be then confined in the jail of Mifflin county, in pursuance of this act, and convey them to the jail of Juniata county, and to keep them in close custody until they be discharged by due course of law.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The second day of March, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.