

defect of power in the president, directors, and company, of the Bank of North America, to purchase, hold, or convey the said real estate, and that the said Amos Atkinson and Thomas Branson, their heirs and assigns, as tenants in common, shall hold the said real estate, and may dispose of the same, with the like effect, as if the president, directors, and company of the Bank of North America, had been authorized by their charter to purchase, hold, and convey the same to the said Timothy Abbott and Hanson Waters. Defect in  
ured

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—The eight day of March, in the year of our Lord, one thousand eight hundred and thirty-nine.

DAVID R. PORTER.

No. 27.

## AN ACT

For the organization of a new county from parts of Venango and Armstrong, to be called "*Clarion.*"

SECTION 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 those parts of Armstrong and Venango counties, lying and being within the following boundaries to-wit: beginning at the junction of Redbank creek with the Allegheny river, thence up said creek to the line dividing Jefferson and Armstrong counties, thence along said line to the line dividing Toby and Saratoga townships in Venango county, thence along said line, to the corner of Farmington township, in Venango county, thence a straight line to the mouth of Shall's run on the Allegheny river, thence down said river to the place of beginning be and same is hereby declared to be erected into a county, henceforth to be called Clarion, the seat of justice to be fixed by the commissioners hereinafter appointed. Boundaries  
Name

SECTION 2. That from and after the first day of September, one thousand eight hundred and forty, the inhabitants of the said county of Clarion, be entitled to and shall have all

**Courts, &c. in new county** and singular, the courts, jurisdiction, officers, rights and privileges to which the inhabitants of other counties of this state are entitled by the constitution and laws of this commonwealth.

**SECTION 3.** That the several courts of the counties of Venango and Armstrong shall continue to exercise jurisdiction within their former limit until the first day of September, one thousand eight hundred and forty.

**Suits how prosecuted** **SECTION 4.** That no suit or prosecution which has been commenced or which shall be commenced in the courts of the counties of Armstrong and Venango before the said first day of September, 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 all judgments thereon by the sheriff and coroner of Venango and Armstrong counties as if this act had not been passed.

**Taxes** **SECTION 5.** That all taxes and arrears of taxes laid, or which have become due within the counties of Armstrong and Venango before the first day of September, one thousand eight hundred and forty, and all sums of money due to this commonwealth for militia fines in the said county of Clarion, shall be collected and recovered as if this act had not been passed.

**Sheriff, treasurer, &c. to give security** **SECTION 6:** That the sheriff, treasurer and prothonotary, and all such officers as have heretofore usually given security for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Clarion, 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 by law obliged to do in the county of Armstrong.

**Duties of sheriffs of Armstrong and Venango** **SECTION 7.** That the sheriff, coroner and other officers of the counties of Armstrong and Venango shall continue to exercise the duties of their respective offices within the county of Clarion, until similar officers shall be appointed agreeably to law within said county.

**Commissioners to fix site for seat of justice** **SECTION 8.** That James Thompson, John Gilmore and Samuel L. Carpenter, be and are hereby appointed commissioners, whose duty it shall be to fix upon a proper and convenient site for a seat of justice for said county of Clarion, a court house, prison and county offices within the aforesaid county, as near the centre as the situation thereof will admit, and the said commissioners, 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 and

**Report of commissioners**

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 named as commissioners shall receive three dollars per diem for their services out of the money to be raised in pursuance of this act.

SECTION 9. That it shall and may be lawful for the commissioners of the county of Clarion which shall be elected at the next annual election after the first day of September, one thousand eight hundred and forty, to take assurances 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, jail and offices, and other buildings and reservations, for the safe keeping of the records, and for public grounds, 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.

Title to lot  
for public  
buildings

SECTION 10. That the judges of the supreme court shall have like powers, jurisdictions and authorities within the said county of Clarion, 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 western district of the supreme court.

Power of su-  
preme court

SECTION 11. That two persons shall be commissioned associate judges of the court of common pleas in and for the said county of Clarion, and that the courts of common pleas and general quarter sessions of the peace to be holden in and for said county of Clarion shall be opened on the third Mondays after the week of the courts of Venango county, and the said county of Clarion shall be and is hereby declared to be long to the sixth district, consisting of the counties of Erie, Venango and Crawford.

Associate  
judges

Time of hold-  
ing courts—  
included in  
sixth district

SECTION 12. That in all cases where it would be lawful for the sheriff, jailor or prison-keeper of the county of Clarion to hold in close custody the body of any person in the common jail of the county of Clarion, if such jail were at this time erected in and for the said county of Clarion, that all such persons shall be delivered to, and kept in close custody by the sheriff, jailor or prison-keeper of the county of Venango, who upon delivery of such prisoner to him or them at the common jail of said county of Venango, shall safely keep him, her or them, until they be discharged by due course of law; shall also be answerable in like manner, and liable to the same pains and penalties, as if the persons so delivered were

Disposition of  
prisoners un-  
til jail in Clar-  
ion is erected

liable to confinement in the common jail of Venango 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 Venango: *Provided always*, That the sheriff of Clarion county be allowed out of the county stock of Clarion county, ten cents per mile as a full compensation for every criminal he may deliver to the jail of Venango county by virtue of this act, on orders drawn by the commissioners of Clarion county on the treasury thereof.

Duty of sheriff of Venango county

SECTION 13 That the sheriff, jailor and prison-keeper of the county of Venango 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 Clarion out of the county stock.

Provision when jail is erected

SECTION 14. That the twelfth and thirteenth sections of this act shall be and continue in force for the term of three years, or until the commissioners of Clarion 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 record of said court, and from thenceforth it shall be lawful for the sheriff of Clarion county to receive all and every person or persons who may then be confined in the jail of Venango county in pursuance of this act, and convey them to the jail of Clarion county, and to keep them in custody until they be discharged by due course of law.

County commissioners, election of

SECTION 15. That the qualified electors of the county of Clarion shall at the next general election, after the said first day of September, one thousand eight hundred and forty for members of the house of representatives, elect three persons for commissioners of the said county, and shall designate on their ballots respectively, the individual who shall serve for one year, for two years and three years, and annually thereafter shall elect one suitable person to serve as commissioner in the place of the commissioner whose time may have thus expired.

WM. HOPKINS,

*Speaker of the House of Representatives.*

JNO. J. PEARSON,

*Speaker of the Senate, pro tempore.*

APPROVED—The eleventh day of March, one thousand eight hundred and thirty-nine.

DAVID R. PORTER.