

No. 193.

AN ACT

To provide for the election of Prothonotaries, Clerks, Recorders, and Registers.

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 the qualified electors of each county in this commonwealth, shall, at the next general election, at the times and places of electing representatives, and whenever it becomes necessary for an election, under this act, vote for prothonotaries, clerks of the several courts, recorders of deeds, and registers of wills, for each county, respectively, as follows, namely :

The qualified electors of the county of Adams, shall elect one person to fill the office of prothonotary ; one person to fill the offices of clerk of the courts of general quarter sessions, and oyer and terminer, and of the orphans' court, and one person to fill the offices of register of wills, and recorder of deeds.

The qualified electors of the county of Allegheny, shall elect one person to fill the offices of prothonotary of the court of common pleas, and of the district court ; one person to fill the offices of clerk of the several courts of general quarter sessions, and oyer and terminer and orphans' court, and one person to fill the office of register of wills, and one person to fill the office of recorder of deeds.

The qualified electors of the city of Pittsburg, shall elect one person to fill the office of clerk of the mayor's court, in and for said city.

The qualified electors of the county of Armstrong, shall elect one person to fill the offices of prothonotary clerk of the courts of general quarter sessions, and oyer and terminer ; one person to fill the offices of register of wills, recorder of deeds, and clerk of the orphans' court.

The qualified electors of the county of Beaver, shall elect one person to fill the office of prothonotary ; one person to fill the offices of clerk of the courts of general quarter sessions, and oyer and terminer, and clerk of the orphans' court, and one person to fill the offices of register of wills, and recorder of deeds.

The qualified electors of the county of Bedford, shall elect one person to fill the offices of prothonotary, clerk of the

courts of general quarter sessions, oyer and terminer, orphans' court, register of wills, and recorder of deeds.

Berks

The qualified electors of the county of Berks, shall elect one person to fill the offices of prothonotary; one person to fill the offices of clerk of the courts of general quarter sessions, and oyer and terminer; one person to fill the office of clerk of the orphans' court, one person to fill the office of register of wills, and one person to fill the office of recorder of deeds.

Bradford

The qualified electors of the county of Bradford, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer; one person to fill the offices of register of wills, recorder of deeds, and clerk of the orphans' court.

Bucks

The qualified electors of the county of Bucks, shall elect one person to fill the office of prothonotary; one person to fill the offices of clerk of the courts of general quarter sessions, and oyer and terminer; and one person to fill the office of clerk of the orphans' court; one person to fill the office of register of wills; and one person to fill the office of recorder of deeds.

Butler

The qualified electors of the county of Butler, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court; and one person to fill the offices of register of wills, and recorder of deeds.

Cambria

The qualified electors of Cambria county, shall elect one person to fill the offices of prothonotary, clerk of the court of general quarter sessions, oyer and terminer, orphans' court, register of wills, and recorder of deeds.

Centre

The qualified electors of the county of Centre, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds, and clerk of the orphans' court.

Chester

The qualified electors of the county of Chester, shall elect one person to fill the office of prothonotary; one person to fill the offices of the clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court; one person to fill the office of register of wills, and one person to fill the office of recorder of deeds.

Clearfield

The qualified electors of the county of Clearfield, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills, and recorder of deeds.

Columbia

The qualified electors of Columbia county, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, and orphans'

court; and one person to fill the offices of register of wills, and recorder of deeds.

The qualified electors of the county of Crawford, shall elect one person to fill the offices of prothonotary of the court of common pleas, and district court, clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court; and one person to fill the offices of register of wills, and recorder of deeds. Crawford

The qualified electors of the county of Cumberland, shall elect one person to fill the office of prothonotary; one person to fill the offices of recorder of deeds, clerks of the courts of general quarter sessions, oyer and terminer, and orphans' court; and one person to fill the office of register of wills. Cumberland

The qualified electors of the county of Dauphin, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer; one person to fill the offices of clerk of the orphans' court, and recorder of deeds; and one person to fill the office of register of wills. Dauphin

The qualified electors of the county of Delaware, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills, and recorder of deeds. Delaware

The qualified electors of the county of Erie, shall elect one person to fill the offices of prothonotary of the court of common pleas, and district court, clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court; and one person to fill the offices of register of wills, and recorder of deeds.

The qualified electors of the county of Fayette shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer, and one person for register of wills and recorder of deeds, and clerk of the orphans' court. Fayette

The qualified electors of the county of Franklin shall elect one person to fill the office of prothonotary, one person to fill the offices of clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court, and one person to fill the offices of register of wills and recorder of deeds. Franklin

The qualified electors of the county of Greene shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer, and clerk of the orphans' court; and one person to fill the offices of register of wills and recorder of deeds. Greene

The qualified electors of the county of Huntingdon shall elect one person to fill the offices of prothonotary, clerk of the courts of quarter sessions and oyer and terminer; and one Huntingdon

person to fill the office of register of wills, recorder of deeds and clerk of the orphans' court.

Indiana The qualified electors of the county of Indiana shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court.

Jefferson The qualified electors of the county of Jefferson shall elect one person to fill the offices of prothonotary, clerk of the court of quarter sessions, oyer and terminer, orphans' court, register of wills and recorder of deeds.

Juniata The qualified electors of the county of Juniata shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court.

Lancaster The qualified electors of the county of Lancaster shall elect one person to fill the offices of prothonotary of the court of common pleas and district court; one person to fill the offices of clerk of the courts of general quarter sessions and oyer and terminer; one person to fill the office of clerk of the orphans' court; one person to fill the office of register of wills; one person to fill the office of recorder of deeds.

City of Lancaster The qualified electors of the city of Lancaster shall elect one person to fill the office of clerk of the mayor's court, in and for said city.

Lebanon The qualified electors of the county of Lebanon shall elect one person to fill the office of prothonotary and clerk of the court of oyer and terminer; one person to fill the office of clerk of the court of quarter sessions and orphans' court; and one person to fill the offices of register of wills and recorder of deeds.

Lehigh The qualified electors of the county of Lehigh shall elect one person to fill the office of prothonotary; one person to fill the office of recorder of deeds; one person to fill the offices of clerk of the courts of quarter sessions, oyer and terminer and orphans' court; and one person to fill the office of register of wills.

Luzerne The qualified electors of the county of Luzerne shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; and one person to fill the office of register of wills and recorder of deeds.

Lycoming The qualified electors of the county of Lycoming shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, and recorder of deeds and clerk of the orphans' court.

The qualified electors of the county of McKean shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court, and register of wills and recorder of deeds. M'Kean

The qualified electors of the county of Mercer shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; and one person to fill the offices of register of wills and recorder of deeds. Mercer

The qualified electors of the county of Mifflin shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court. Mifflin

The qualified electors of the county of Monroe shall elect one person to fill the office of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer and orphans' court; and one person to fill the offices of register of wills and recorder of deeds. Monroe

The qualified electors of the county of Montgomery shall elect one person to fill the office of prothonotary; one person to fill the offices of clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; one person to fill the office of register of wills; and one person to fill the office of recorder of deeds. Montgomery

The qualified electors of the county of Northampton shall elect one person to fill the office of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; one person to fill the office of clerk of the orphans' court; one person to fill the office of registers of wills; and one person to fill the office of recorder of deeds. Northampton

The qualified electors of the county of Northumberland shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court. Northum'nd

The qualified electors of the county of Perry shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; and one person to fill the offices of register of wills and recorder of deeds. Perry

The qualified electors of the city and county of Philadelphia shall elect one person to fill the office of prothonotary of the court of common pleas; one person to fill the office of prothonotary of the district court of the city and county of Philadelphia; one person to fill the office of clerk of the court of oyer and terminer and general quarter sessions; one person to fill the office of clerk of the court of criminal sessions for Philadelphia

the city and county of Philadelphia; one person to fill the office of clerk of the orphans' court; one person to fill the office of register of wills: and one person to fill the office of recorder of deeds.

Pike The qualified electors of the county of Pike shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills and recorder of deeds.

Potter The qualified electors of the county of Potter shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills and recorder of deeds.

Somerset The qualified electors of the county of Somerset shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court.

Schuylkill The qualified electors of the county of Schuylkill shall elect one person to fill the offices prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of clerk of the orphans' court, register of wills and recorder of deeds.

Susquehanna The qualified electors of the county of Susquehanna shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court.

Tioga The qualified electors of the county of Tioga shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions and oyer and terminer; and one person to fill the offices of register of wills, recorder of deeds and clerk of the orphans' court.

Union The qualified electors of the county of Union shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, and oyer and terminer and orphans' court; and one person to fill the offices of register of wills and recorder of deeds.

Venango The qualified electors of the county of Venango shall elect one person to fill the offices of prothonotary of the common pleas and district courts, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills and recorder of deeds.

Warren The qualified electors of the county of Warren shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, orphans' court, register of wills and recorder of deeds.

Washington The qualified electors of the county of Washington shall elect one person to fill the office of prothonotary; one person

to fill the offices of clerk of the courts of general quarter sessions, and oyer and terminer and orphans' court; one person to fill the office of register of wills; and one person to fill the office recorder of deeds.

The qualified electors of the county of Wayne shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; and one person to fill the offices of register of wills and recorder of deeds.

The qualified electors of the county of Westmoreland shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; and one person to fill the office of register of wills and recorder of deeds.

The qualified electors of the county of York shall elect one person to fill the office of prothonotary; one person to fill the offices of clerk of the courts of general quarter sessions, oyer and terminer and orphans' court; one person to fill the office of register of wills; and one person to fill the office of recorder of deeds.

SECTION 2. That the said elections for prothonotaries, clerks, recorders of deeds and registers of wills, in each county, shall be held and conducted in all respects, in the same manner as elections for representatives are or shall be held and conducted, and shall be held and conducted by the same judges, inspectors and other officers.

SECTION 3. That it shall be the duty of the return judges of the election for representatives, for each county, when they meet, to make out returns for representatives; also, to make out true duplicate returns of the elections of prothonotaries, clerks, recorders of deeds, and register of wills, one of which said returns shall be filed in the prothonotaries office of the proper county, and the other return shall be immediately transmitted by the sheriff, by mail, to the secretary of the commonwealth, to be filed in his office; and it shall be the duty of such return judges, to give to each person elected, to any or all of the said offices, a certificate of his election, and the persons who appear by such certificates and returns to be duly elected, shall be commissioned by the governor for the respective office or offices, for which they may have been elected, for three years, if they shall so long behave themselves well, and until their successors shall be duly qualified: *Provided*, That no commission shall issue within the lapse of thirty days after the election, and shall commence and take effect from the first

How elections to be conducted

Duplicate returns of elections to be made

One copy to be filed in prothonotaries office

One copy to be sent to sec'y com.

Certificates to officers elected

Persons elected to be commissioned by governor

When commission to take effect
When suspended

day of December next, after such election, unless when the same is suspended by reason of a contest under the fifth section of this act, in which case, the commission shall take effect from the time of the legal qualification of the officer under the same, and expire on the first day of December, as in other cases.

Vacancies how supplied

SECTION 4. That whenever any vacancy occurs in any of the said offices, the qualified electors of the proper county, shall, at the next general election thereafter, elect, for the term of three years, a successor to fill the said vacancy, in the same manner, as is hereinbefore provided in other cases.

Contested election to be decided upon by courts of common pleas

SECTION 5. That the returns of the elections, under this act, shall be subject to the inquiry, determination, and judgment of the court of common pleas, of the proper county, upon complaint in writing, of thirty or more, of the qualified electors of the proper county, of undue election or return of any such officer, two of whom shall take and subscribe an oath or affirmation, that the facts set forth in such complaint are true, to the best of their knowledge and belief; and the said court shall, in judging, concerning such election, proceed upon the merits thereof, and shall determine, finally, concerning the same, according to the laws of this Commonwealth; and the prothonotary of the said court shall, immediately, certify to the governor, the decree of the said court, on such election, and in whose favor such contested election shall be terminated, and the governor shall then issue the commission to such person, in whose favor such contested election has determined; and the said court shall hear and determine such contested election, at the next term after the election shall have been held, and such complaint shall not be valid or regarded by the court, unless the same shall have been filed in the prothonotary's office, within ten days after the election; and in case such complaint is filed within the time above mentioned, it shall be the duty of the prothonotary to transmit by mail, immediately, to the governor, a certified copy thereof, and in such case, no commission shall be issued, until the court shall have determined and adjudged on such complaint, as aforesaid.

Decree of the court to be certified to the governor

Commission to issue

When court to determine

When complaint is filed, no commission to issue

Laws not inconsistent with this act continued

SECTION 6. That all such laws, and parts of laws, now in force, relating, in any manner, to prothonotaries, clerks of the several courts, recorders of deeds, and registers of wills, which are not inconsistent with this act, be and the same are hereby declared to continue and remain in full force.

Manner of voting

SECTION 7. Separate tickets shall be voted for each office, or when there are more than one to be held, by one person, for the offices, under this act; and each ticket shall

designate, on the outside, the office or offices, and on the inside, the name of the person voted for to fill such office or offices.

WM. HOPKINS,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The second day of July, Anno Domini, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 194.

AN ACT

To incorporate the President and Managers of the Uniontown and New Alexandria Turnpike Road Company.

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 Henry W. Beason, Andrew Stewart, Samuel Evans, John Fuller, William B. Roberts, Jacob Murphy, John Boyd, Alexander Johnston, Hiram Gibhart, Henry D. Overhalt, William Davidson, Thomas Boyd, Alonzo L. Little, John Foster, of Fayette county, Jesse Lippencath, John Hitchman, Samuel Shupe, Thomas Hunt, Jacob Christman, Abraham Weaver, James Keenan, John Taylor, Thomas M. Johnston, James Moorhead, George Maclin, Benjamin Hill, John Snyder, Jacob Teustman, of Westmoreland county, be, and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, they shall, on or before the first day of May next, procure two books, and in each of them enter therein as follows: "We whose names are hereunto subscribed, do promise to pay the president and managers of the Uniontown and New Alexandria turnpike road company, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the general assembly of this commonwealth, entitled,

Commissioners

Form of sub-
scription