

election, authorized under this act, by publication in all the public newspapers of said city; and prior to every election subsequent to the first, a similar notice shall be given at least ten days prior to such election.

SECTION 4. Whenever the said mayor shall be authorized to receive or disburse any moneys belonging to the city corporation, the select and common councils of said city, are hereby authorized to require him to give such security as they may deem requisite, with condition to account for and faithfully appropriate all such moneys as may be intrusted to him.

SECTION 5. So much of the act to incorporate the city of Lancaster, as authorizes the select and common councils of said city to elect a mayor, for said city, is hereby repealed; and so much of said act, and the act supplementary thereto, as is hereby altered or supplied, be, and the same is hereby repealed,

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The tenth day of February, one thousand eight hundred and forty-three.

DAVID R. PORTER.

[No. 10.]

SUPPLEMENT

To an act, entitled "An Act erecting a new county out of the northern part of Luzerne county, to be called 'Wyoming.'"

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 certioraries, and appeals taken from the judgment of any justice of the peace, which shall originate within the limits of Wyoming county, after the first day of March, one thousand eight hundred and forty-three, shall be proceeded on in the court of common pleas of Wyoming county, in the same manner as they would have Appeals &c of Wyoming county.

been proceeded on in the court of common pleas of Luzerne county, had the said county of Wyoming not been erected.

Commissions of just peace in Wyoming county made valid SECTION 2. That all justices of the peace now in commission in that part of Luzerne county, now embraced within the limits of the said county of Wyoming, shall continue to exercise the duties of their said offices for the period for which they were elected; and any deficiency in the proper number of justices in any township, shall be supplied in the manner now prescribed by law, for vacancies occasioned by death, removal or resignation: and all acts done by such justices of the peace shall be taken and deemed valid in the same manner as if the county of Luzerne had not been divided.

Transfer of suits fr'm Luzerne to Wyoming co SECTION 3. All suits that shall be pending and undetermined in the court of common pleas of Luzerne county, on the fourth day of February, one thousand eight hundred and forty-three, as well as all suits brought afterwards, when the plaintiff and defendant in such suit or suits shall at that time be resident in the said county of Wyoming, and in no other cases shall be transferred to the court of common pleas of Wyoming county, and shall be considered as pending in that court: *Provided always*, That if the defendant only, in any suit brought or commenced in Luzerne county, resides in the said county of Wyoming, it shall be lawful for the plaintiff and defendant, by an agreement for that purpose, filed with the prothonotary of Luzerne county, to remove the same to the court of common pleas of Wyoming county, which court shall then have full and entire jurisdiction of such suit or suits.

Judgments &c in Luz co to remain a lien on lands in Wyoming county SECTION 4. All judgments entered in the court of common pleas, and all recognizances taken in the several courts of Luzerne county, shall remain a lien upon any lands in the county of Wyoming now or hereafter bound by the same, in the same manner as if the said county of Wyoming had not been erected; and such judgments may be revived, and such recognizances proceeded upon by process from the court of common pleas of Luzerne county, in the same manner as if the said county of Wyoming had not been erected: and such process may be served by the sheriff of Luzerne county upon all and any defendant or defendants, and terre tenants, residing in said county of Wyoming, in such process named.

Testatum executions SECTION 5. From and after the first day of April next, all judgments in the court of common pleas of Luzerne county, where the defendant shall reside in the county of Wyoming, or where the same shall be a lien upon lands in that county, may be proceeded upon by testatum executions, directed to the sheriff or coroner of Wyoming county: *Provided*, That nothing herein contained shall prevent the sheriff or coroner

of Luzerne county from selling any goods or chattels, lands or tenements, which have been, or may be seized, taken in execution, or levied upon, by virtue of any process issued out of the courts of Luzerne county before the first day of April next.

SECTION 6. The commissioners of Wyoming county shall have authority, from time to time, to levy such tax as they shall deem necessary for the construction of a court house, and other public buildings, for the said county; and it shall be their duty on or before the fifteenth day of February, one thousand eight hundred and forty-three, to procure suitable buildings for the offices of the sheriff, prothonotary, and other officers, of the county, and for holding the courts at the expense of the said county; and it shall be their duty, for the use of the said county, to collect all voluntary subscriptions that have been or may be made for the erection of the public buildings of the said county, and appropriate the same for that purpose.

SECTION 7. The first courts in and for the county of Wyoming, shall be held on the third Tuesday of February, eighteen hundred and forty-three, and from and after that time the courts of said county shall be held on the Tuesdays succeeding the courts in the county of Pike; and so much of the original act, passed the fourth day of April, eighteen hundred and forty-two, to which this is a supplement, as is hereby altered or supplied, is hereby repealed.

SECTION 8. That all deeds made to the commissioners of Luzerne county, for unseated land, lying within the boundaries of the county of Wyoming, shall be transferred to the commissioners of Wyoming county; and the title thereto shall be as fully vested in the said commissioners of Wyoming, for the use of said county, as though the deeds had been made to the commissioners of the said county of Wyoming.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The fifteenth day of February, one thousand eight hundred and forty-three.

DAVID R. PORTER.