

after death to her children for their use, and to their guardian, if under age.

SECTION 6. It shall be lawful for said company to invest its funds in the funded debts of the United States, or of the state of Pennsylvania or other of the United States, of the county of Philadelphia or other counties, or cities or districts of the United States, and the same to sell, transfer, change or otherwise re-invest, as the directors of said company may deem proper.

May invest its funds in the funded debts of the United States.

SECTION 7. That the auditor general is hereby authorized and directed to settle and adjust the claim of S. D. Karns for the transportation of the first regiment of Pennsylvania volunteers, from Harrisburg to Pittsburgh, according to the contract between the said S. D. Karns and the commonwealth, in December, one thousand eight hundred and forty-six; and also the claim of Henry Petrikin, for time spent, labor performed and expenses incurred by him in the organization of the first and second regiments of Pennsylvania volunteers aforesaid, by the direction and under the authority of Francis R. Shunk, then governor of this state; and that the said auditor general shall furnish the said S. D. Karns and Henry Petrikin with certified copies of said settlements, shewing the amount, if any, which may be due each of them.

Auditor general authorized to adjust the claim of S. D. Karns and H. Petrikin.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The tenth day of April, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 366.

AN ACT

Erecting parts of Beaver and Mercer counties into a separate county, to be called Lawrence.

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 Beaver and Mercer counties within the following boundaries, to wit: beginning at a post on the line between Butler and Mercer counties, at the corner of Wolfcreek and Slipperyrock townships, in Mercer county; thence north-west with the line dividing said township, to the south-east corner of Springfield township; thence westwardly between the townships of Springfield and Slipperyrock, to the south-west corner of Springfield; thence northwardly along the line dividing Springfield and Lackawannock townships, three-fourths of a mile; thence westwardly parallel with the south line of Mercer county, to the Ohio state line; thence south with said line about eighteen and

Boundaries.

three-fourth miles; then eastwardly parallel with the north line of Beaver county, to the line between Beaver and Butler counties; thence north along the line of Butler county to the place of beginning, shall be and the same is hereby declared to be erected into a separate county, to be called Lawrence.

SECTION 2. That the inhabitants of the said county of Lawrence, from and after the first day of September, one thousand eight hundred and forty-nine, 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.

SECTION 3. That the several courts in and for the said county of Lawrence, shall be opened and held at such house as may be designated by the commissioners of said county, to be elected at the general election, in one thousand eight hundred and forty-nine, until a court house shall be erected in and for the said county, as is hereinafter directed, and shall be then held at the said court house.

Suits.

SECTION 4. That all suits and cases which shall be pending, and undetermined in the several courts of Beaver and Mercer counties, on the first of September, one thousand eight hundred and forty-nine, where both parties in such suit or suits, shall at that time be resident in the county of Lawrence, shall be transferred to the respective courts of Lawrence county, and shall be considered as pending in said courts, 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 officers of Beaver and Mercer counties shall be paid to them, when recovered, by the prothonotary or sheriff of Lawrence county; and the prothonotaries of Beaver and Mercer counties, shall on or before the first day of June, one thousand eight hundred and forty-nine, 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, one thousand eight hundred and forty-nine, have the said dockets, together with the records, declarations and other papers respecting the said suits and cases, ready to be delivered to the prothonotary of Lawrence county; the expenses of said dockets, and copying, to be paid by the said county of Lawrence, on warrants to be drawn by the commissioners of Lawrence county, on the treasurer thereof.

Taxes.

SECTION 5. That all the taxes and arrears of taxes laid, or which become due within the said county of Lawrence, before the passing of this act, and all sums of money due to this commonwealth for militia fines, in said county of Lawrence, shall be collected and recovered as if this act had not been passed: *Provided always*, That the moneys arising from county taxes, assessed or to be assessed within the limits of the county of Lawrence, subsequently to the first of November, one thousand eight hundred and forty-eight, shall from time to time, as the same may be collected—that part thereof which was assessed in the counties of Beaver and Mercer respectively, to be paid into the treasury of the counties of Beaver and Mercer respectively, for the use and benefit of the county of Lawrence, until a treasurer shall be appointed in the county of Lawrence; and the treasurers of the counties of Beaver and Mercer respectively, shall keep separate accounts thereof, and pay the same to the treasurer of the county of Lawrence, as soon as he shall have been appointed; and whatever part of said taxes may be assessed after the first day of November, one thousand eight hundred and forty-eight, may remain uncollected in the county of Lawrence, at the time of the appointment of the treasurer thereof, the same shall be

Proviso.

collected in the usual manner, and paid into the treasury of the county of Lawrence.

SECTION 6. That the sheriff, treasurer, prothonotary and all such officers as are by law required to give security for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Lawrence, 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 counties of Beaver and Mercer.

Officers to give security.

SECTION 7. That the sheriff, coroner and other officers of the counties of Beaver and Mercer respectively, shall continue to exercise the duties of their respective offices as heretofore, within that part of Lawrence county, which before the passing of this act, was within the counties of Beaver and Mercer respectively, until similar officers shall be appointed agreeably to law within the county of Lawrence; and the persons who shall be appointed associate judges of the county of Lawrence, shall take, and subscribe the requisite oaths and affirmations of office, before the prothonotary of the court of common pleas of the county of Mercer, who shall file a record of the same, in the office of the prothonotary of the court of common pleas of the county of Lawrence, who may be appointed at any time after the passing of this act.

Sheriff, coroner, &c., of Beaver and Mercer counties to act until similar officers shall be appointed.

SECTION 8. That the inhabitants of the county of Lawrence, shall elect members of congress, senators and members of the house of representatives, in the same manner as if this act had not passed; and the borough of New Castle, in the county of Lawrence, shall be the seat of justice for said county of Lawrence; and it shall be lawful for the commissioners of the county of Lawrence, who shall be chosen at the general election, in one thousand eight hundred and forty-nine, to take assurances to them and their successors in office, of such lot or lots of ground as they, or a majority of them shall approve, 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 authorized to receive by subscription or donations, money and materials, towards defraying the expenses of the said lots and buildings, and also are hereby authorized to assess, levy and collect a sufficient sum to defray the expenses thereof, and for building a court house and prison, or so much as shall be needful to supply deficiencies, in case there shall not be a sufficiency given and subscribed as aforesaid; which court house and prison they are hereby authorized to erect.

Members of congress, senators and representatives.

Seat of justice.

Court house, jail, &c.

SECTION 9. That the judges of the supreme court shall have like powers, jurisdictions and authorities within the said county of Lawrence, 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.

Jurisdiction of the supreme court.

SECTION 10. That the county of Lawrence shall be annexed to and compose part of the seventeenth judicial district of this commonwealth; and the courts in said county of Lawrence shall be held on the Mondays next succeeding after the courts are held in Mercer county, to continue one week at each term, if necessary; the first court to be held on the first Monday of January, one thousand eight hundred and fifty.

To be annexed to the seventeenth judicial district.

SECTION 11. The certioraries directed to, and appeals from the judgment of any justice of the peace of the said county of Lawrence, 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 counties of Beaver and Mercer respectively; and all process to issue from the

Certioraries, appeals, &c., shall be proceeded in as heretofore in the courts of Beaver and Mercer counties.

courts of the said county of Lawrence, returnable to the first term in said county, shall bear test on the last Monday of October, one thousand eight hundred and forty-nine.

Prisoners to be delivered to and kept by the sheriff, jailors, &c., of the counties of Mercer.

SECTION 12. That in all cases when it would be lawful for the sheriff, jailor or prison-keeper of the county of Lawrence, 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 Mercer, who upon delivery of such prisoners to him or them at the common jail in said county of Mercer, shall safely keep him, her or them until they be discharged by the 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 Mercer 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 Mercer: *Provided always*, That the sheriff of Lawrence county be allowed, out of the county stock of said county, ten cents per mile as full compensation for every person charged with a criminal offence, which he may deliver to the jail of Mercer by virtue of this act, by orders drawn by the commissioners of Lawrence county on the treasurer thereof.

Proviso.

Sheriff, jailor and prison keeper, entitled to fees.

SECTION 13. That the sheriff, jailor or prison-keeper of the county of Mercer, 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 for 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 Lawrence, out of the county stock.

Twelfth and thirteenth sections of this act to continue in force for the term of four years, &c.

SECTION 14. That the twelfth and thirteenth sections of this act, shall be and continue in force for the term of four years, or until the commissioners of Lawrence 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 approbation signed by them on the records of said county; and from thenceforth it shall be lawful for the sheriff of Lawrence county, to receive all and every person or persons who may be then confined in the county jail of Mercer county, in pursuance of this act, and convey them to the jail of Lawrence county, and to keep them in close custody until they be discharged by due course of law.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.