

1786. their annual election at the house of Matthias Henings, in Williamsburg, in Bethel township, being the fifth district.

passed 19th September, 1786.—Recorded in Law Book No III. page 117. (r)

(r) The first six sections of this act section was temporary, and is obsolete. See the act of 15th February, 1799, repealing the general elections. The 16th (chap. 2009.)

CHAPTER MCCXXXIII.

An ACT for erecting the northern part of the county of Northumberland into a separate county.

SECT. I. WHEREAS many of the inhabitants of the northern part of the county of Northumberland have, by their petition to the General Assembly of this state, represented the inconveniences which they are subject to, by the large extent of the said county of Northumberland, and the great distance at which the said petitioners dwell from the county town, where the courts of justice and the public offices of the same county are held and kept: For remedy whereof,

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That all and singular the lands lying within that part of the county of Northumberland, which lie within the bounds and limits hereafter described, shall be erected into a separate county; that is to say, beginning at the mouth of Nescopeck creek, and running along the south bank thereof eastward to the head of said creek; from thence a due east course to the head branch of Lehigh creek; then along the east bank of said Lehigh creek to the head thereof; from thence a due north course to the northern boundary of the state; thence westward along the said boundary till it crosses the east branch of Susquehanna; and then along the said northern boundary fifteen miles west of the said river Susquehanna; thence by a straight line to the head of Tawandee creek; thence along the ridge which divides the waters of the east branch of the Susquehanna from those of the west branch, to a point due west from the mouth of Nescopeck creek; thence east to the place of beginning; which shall from henceforth be known and called by the name of Luzerne county.*

SECT. III. *And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Luzerne shall, at all times hereafter, enjoy all and singular the jurisdictions, powers, rights, liberties and privileges, whatsoever, which the inhabitants of any other county of this state do, may, or ought to enjoy, by the constitution and laws of the said state.*

SECT. IV. *And be it further enacted by the authority aforesaid, That courts of Common Pleas and General Quarter Sessions of the Peace, to be holden in and for the said county of Luzerne, shall be opened and held [on the Tuesday succeeding the Tuesday, on which the court of Northumberland is held, in each and every term hereafter; and that the court of Quarter Sessions shall sit three days at each sessions, and no longer,] and shall be held at the house of Zebulon Butler, in the town of Wilkesburg, in the said county of*

The county of Luzerne erected.

Its boundaries.

Rights and privileges of the new county.

The courts, where and when to be held.

[Altered see the note.]

Luzerne, until a court-house shall be built, as hereafter directed, in the said county, which said courts shall then be holden and kept at the said court-house, on the days and times before mentioned.

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SECT. VII. *And be it further enacted by the authority aforesaid,* That the Sheriff, Treasurers, Prothonotaries, Collectors of excise, and all such officers as have heretofore usually given surety for the faithful discharge of their respective offices, who shall hereafter be appointed or elected in the said county of Luzerne, before they, or any of them, shall enter upon the execution of their respective offices, shall give sufficient security, in the same sums, 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 do in the county of Northumberland.

County officers shall give the usual security.

SECT. IX. *And be it further enacted by the authority aforesaid,* That Zebulon Butler, Nathaniel Landen, Jonah Rogers, John Philips, and Simon Spawlding, are hereby appointed trustees for the said county of Luzerne, and they, or any three of them, shall take assurances of and for a piece of land, situated in some convenient place in or near [Wilkesburg,] within the said county of Luzerne, for the seat of a court-house, and of a county gaol or prison, for the said county, in the name of the commonwealth, in trust and for the use and benefit of the said county of Luzerne, and thereupon to erect a court-house and prison, sufficient to accommodate the public service of the said county.

Trustees appointed to purchase a seat for a court-house and prison.

[Wilkes-Barre.]

SECT. XI. *And be it further enacted by the authority aforesaid,* That the Justices of the Supreme Court of this state shall have the like powers, jurisdictions and authorities, within the said county of Luzerne, as by law they are vested with and entitled to in the other counties of this state, and they are hereby authorized and empowered, from time to time, to deliver the gaol of the said county of capital and other offenders, in like manner as they are authorized to do in other counties of this state.

Jurisdiction of the Supreme Court in Luzerne.

Passed 25th September, 1786 — Recorded in Law Book No. III. page 147. (s)

(s) The sections omitted in this act were temporary, or are altered by the existing constitution, and are obsolete.

§ 5. Respected the election of justices of the peace in certain districts.

§ 6. Provided for the continuance of the process commenced in Northumberland county.

§ 8. Related merely to the first general election in the new county.

§ 9. Respected the raising money for erecting the public buildings.

By the 9th section of an act passed 27th of December, 1786, (chap. 1245,) it is enacted that, the line from the mouth of Necopeck, shall be run north-westwardly, until it intersects the line which divides the waters of the east branch of Susquehanna river, from those of the west branch thereof.

By the 4th section of an act passed 29th of September, 1787, it is declared, that this latter line shall run north one degree west until it intersects the line which divides the waters of the east

branch of Susquehanna river from those of the west branch thereof, (chap. 1312)

Commissioners appointed to ascertain and run certain lines between Berks, Northumberland, Northampton and Luzerne, to be thereafter deemed the boundary line between them, act of 17th of April, 1795, (chap. 1837.)

Commissioners appointed to run the boundary line between Northumberland, Lycoming and Luzerne, by act of 23d of February, 1801, (chap. 2182.)

By act of 2d of April, 1804, (chap. 2494,) that part of Luzerne county, which lies west of the following lines; to wit, beginning at the east side of the east branch of Susquehanna, on the line between Pennsylvania and New-York, at such place, that from thence a due south line will strike the northeastern corner of Clavarack township; thence by the line of the same township, about a southwest course, crossing the said east branch to the northwest corner of

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said township; thence by the southwest side of the same, to the southwest corner thereof, and from thence by a due west line to the line now separating the counties, of Luzerne and Lycoming, was annexed to *Lycoming county*.

Part of *Northumberland* annexed to *Luzerne*, 28th of March, 1808, (chap. 2976.)

By an act passed 21st of February, 1810, parts of *Luzerne* and *Lycoming* counties were erected into separate county districts, viz. *Ontario* and *Susquehanna*; and they are not yet organized.

The act of 29th of September, 1787, authorized the sheriff and justices of the peace to confine prisoners in the gaol of *Northampton county*, &c. But see the general index for much other matter relating to this tract of country under the titles, "*Woning*," "*Intrusion*," "*Connecticut Titles*," "*Pennsylvania Claimants*," "*Meate Dives*," "*Luzerne*."

By the 4th section of an act passed 4th of April, 1805, (chap. 261,) it is made the duty of the recorder of deeds of *Luzerne county* to receive certain books and documents commonly called the "*Westmoreland records*," and keep the same in his office; and on application and payment of the usual fees, shall make out and deliver copies therefrom, under seal of office, and when, and so often as he thereto shall be requested, which copies so made out and delivered shall be as good evidence in law, as the original might or could be.

By the last enumeration the county of *Luzerne* was found to contain two thousand seven hundred and thirty taxables, and united with the county of *Northumberland*, eight thousand seven hundred and ninety-one taxables; and by the act of 21st of March, 1808, (chap. 2931,) apportioning the representation in pursuance thereof, sends two members to the house of representatives, and in conjunction with the county of *Northumberland*, two members to the senate.

By act passed 7th of Sept'r, 1789, (chap. 1418,) the county of *Luzerne* was divided into five election districts.

Wyalusing district established by act of 29th of March, 1792, (chap. 1603.)

Lackawanna district established by act of 25th of February, 1795, (chap. 1786.)

A new district erected at the north line of the state, by act of 4th of April, 1798, (chap. 1994, § 11.)

Another district established by act of 10th of April, 1799, (chap. 2064.)

Three new districts, called *Huntingdon*, *Brantrum* and *Rindaw* districts, established by act of 1st of December, 1800, (chap. 2139.)

The place of holding elections in *Wyalusing* district altered by act of 17th of March, 1803, (chap. 2246.)

Part of Pitt's town district, erected into a new district, 4th of April, 1805, (chap. 2599, § 16.)

Nicholson's district erected by act of 31st of March, 1806, (chap. 2715, § 13.) and the place of holding the elections in *Punkhannock* district, altered by the same act, § 14.

Orwell township erected into a separate district, and *Clifford* township erected into a separate district by act of 11th of April, 1807, (chap. 2856, § 26, 27.)

Hunford, *Abington*, *Bridgewater*, *Wyo-sox*, and that part of *Nescopeck*, added to *Luzerne county*, erected into five separate districts by act of 28th of March, 1808, (chap. 2972, § 3, 5, 7, 36, 39,) and the place of holding elections in *Willingborough* district, changed, i. b. § 13.

Place of holding elections in *Kingston* district changed by act of 4th of April, 1809.

Ganton and *Newport* townships erected into two separate districts, by act of 20th of March, 1810.

By the Judiciary act of 24th of February 1806. *Northumberland*, *Lycoming* and *Luzerne* form the 8th Judiciary district. The courts in *Luzerne* are held on the first Mondays in January, April, August and November. The term continues two weeks.

Luzerne county is part of the middle district of the supreme court.

CHAPTER MCCXXXIV.

An ACT to distribute and annex the jurisdiction of this commonwealth upon the river Delaware, below the Station point, and to certain islands within the same, to the counties of Northampton, Bucks, Philadelphia and Chester.

SECT. I. WHEREAS, in and by an act of General Assembly of this state, entitled "An Act to ratify and confirm an agreement, made between commissioners appointed by the legislature of the state of New-Jersey and commissioners appointed by the legis-