

John Maginley and James Stephenson shall be severally and respectively seized in fee of their said several lots and parts of the said land in as full and ample manner as if the same had been conveyed by the said Amos McGinley in his lifetime.

Passed September 21, 1786. Recorded L. B. No. 3, p. 134, etc.

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CHAPTER MCCXLIV.

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AN ACT FOR ERECTING THE NORTHERN PART OF THE COUNTY OF NORTHUMBERLAND INTO A SEPARATE COUNTY.

(Section I. P.L.) 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 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:

[Section I.] (Section II. P.L.) 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 herein after 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 Towanda 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 hence forth be known and called by the name of Luzerne county.

[Section II.] (Section III. P. L.) 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.

[Section III.] (Section IV. P. L.) 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 Wilkesbarre in the said county of Luzerne until a court house shall be built as herein after 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.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That the justices of the peace for the said county of Luzerne shall be elected from time to time by the freeholders of the same within the three following districts, viz.: All the lands lying on the east side of the north-east branch of the river Susquehanna within the said county from the mouth of the Nescopeck creek to the mouth of Tagues creek to be the first district and all the lands on the west side of the said river from the division line of the county of Northumberland to a line opposite the mouth of Tagues creek to be the second district and all the lands within the remainder of said county to the northern boundary [thereof] to be the third district, in which said districts there shall severally be elected four justices of the peace elect to be returned to the

supreme executive council of whom two shall be commissioned for each district.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That no suit or prosecution which hath been heretofore commenced or which shall be commenced in the courts of the said county of Northumberland before the courts of the said county of Luzerne shall be severally opened, shall be delayed, discontinued or affected by this act, but the same shall proceed to judgment and execution shall be issued and done of all such judgments by the sheriff or coroner of Northumberland county as if this act had not been made.

[Section VI.] (Section VII. P.L.) 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.

[Section VII.] (Section VIII. P.L.) And be it further enacted by the authority aforesaid, That at the first general election to be holden for the said county of Luzerne at the house of Zebulon Butler in the town of Wilkesbarre on the second Tuesday of October next there shall be chosen one representative to serve in the general assembly, one counsellor, two fit persons for sheriffs and two fit persons for coroners and three commissioners in the same manner and under the same rules, regulations and penalties as by the constitution and laws of this state are directed in respect to the other counties, and the said representative, counsellor and other officers when chosen and duly qualified shall have and enjoy all and singular such powers, authorities and privileges in and for their county, as such officers elected in and for any other county may, can or ought to have and that the said representative, counsellor and other officers shall be elected at the court-house to be erected

in and for the said county whenever the same shall be erected.

[Section VIII.] (Section IX. P.L.) 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 Wilkesbarre 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.

[Section IX.] (Section X. P.L.) And be it further enacted by the authority aforesaid, That the commissioners shall lay, assess, and levy sufficient sums of money within the said county, as county rates and levies are raised and levied to pay for the said piece of land and for the building and finishing the said court-house and gaol, provided the sums so to be laid and levied for the purposes aforesaid exceed not the sum of one thousand pounds and the money so raised as aforesaid shall be put into the hands of the trustees for the purposes aforesaid, and the said trustees shall from time to time render a faithful account of the expenditures of the same not only to the commissioners but to the grand jury and any other officer who may be appointed by lawful authority for the inspection of the accounts of the county, when called on by either of them.

[Section X.] (Section XI. P.L.) 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 are vested with and entitled to in the other counties in this state and 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.