

liberty of appeal by themselves or their agents until the sixteenth day of April next, and that no sales of any such lands for the non-payment of taxes assessed thereon shall take place before the first day of June next and until that day all proceedings relative to the sales of such lands shall be suspended, and on the said sixteenth day of April the commissioners of the counties aforesaid respectively or any two of them shall meet together at the court house or at the usual place for holding courts in each county to receive the appeals of non-resident landholders or their agents, and shall continue from day to day until the twenty-first day of the said month to hear and determine on the said appeals, and on each appeal the said commissioners shall make every proper examination and correction of the said assessments agreeably to the laws in ordinary cases of appeal.

(Section III. P. L.) Provided nevertheless, That the expenses of holding such courts of appeals by the commissioners of the counties respectively shall be at the expenses of the appellants and be assessed by the said commissioners with the tax which shall be adjudged to be payable by them the said appellants.

[Section II.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the appeal for the owners or their agents of the lands aforesaid in the county of Luzerne shall be held by the commissioners of Northumberland county at the court house of Northumberland.

Passed November 27, 1786. Recorded L. B. No. 3, p. 153, etc.

CHAPTER MCCLVI.

A SUPPLEMENT TO AN ACT PASSED THE TWENTY-FIFTH DAY OF SEPTEMBER LAST, ENTITLED "AN ACT FOR ERECTING THE NORTHERN PART OF THE COUNTY OF NORTHUMBERLAND INTO A SEPARATE COUNTY."¹

(Section I. P. I.) Whereas by virtue of the act, entitled "An act for erecting the northern part of the county of Northumberland into a separate county," the electors thereof were au-

¹ Chapter 1244.

thorized to choose a representative to serve in the general assembly, a councillor, sheriffs, justices of the peace and other officers, but no special provision was therein made for holding the previous elections for the purpose of choosing inspectors and judges of election, which the peculiar circumstances of that county rendered necessary, and for want of which no regular elections can be made:

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 Timothy Pickering, Esquire, prothonotary of the county of Luzerne, and Zebulon Butler and John Franklin, inhabitants of the said county, be and they are hereby authorized by writing under their hands to notify in such manner as they shall judge effectual the electors in the same county to assemble on the first day of February next, at the house of Zebulon Butler in Wilkesborough in the said county of Luzerne, then and there, to elect one representative to serve in the general assembly, one councillor, two fit persons for sheriffs, two fit persons for coroners and three commissioners for the county aforesaid, but before the electors who shall be so assembled proceed to the said elections, they shall elect three of their number to be inspectors, and the said inspectors shall then choose and take to their assistance three reputable and discreet freeholders to be judges of the said elections, and the inspectors and judges so elected, having first taken the oath or affirmation hereinafter prescribed, shall be deemed qualified to exercise all the powers vested by the laws of this commonwealth in the offices of inspectors and judges of elections and thereupon the said election shall be opened and the same shall be holden and continue without interruption, until the electors who shall come to the same election shall have full opportunity to give in their respective votes.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That at the time and place of election aforesaid, and before the poll be begun, one of the said judges of election shall openly and publicly administer to the

other judges, inspectors and clerks of such election the following oath or affirmation, viz: "I, A. B. do swear (or affirm) that I will duly attend the ensuing election and faithfully perform the office of judge (or inspector or clerk as the case may be) of the same election to the best of my abilities according to law," and the judge who shall administer the said oath or affirmation shall take the same before the other judges or one of them.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the said Timothy Pickering, Esquire, Zebulon Butler and John Franklin be and they are hereby authorized in writing under their hands to appoint one fit person in each of the three districts into which the said county of Luzerne is divided to notify in such manner as they the said Timothy Pickering, Esquire, Zebulon Butler and John Franklin shall deem effectual the freeholders thereof to assemble at such times and places in the respective districts, as they shall judge will be most convenient to the said freeholders for the purpose of electing four justices of the peace for each of the said districts and the three persons who shall in this manner be appointed shall severally preside at the elections of justices [as] aforesaid in their respective districts and perform all the duties required of constables by the laws for regulating the elections of justices of the peace throughout this state, and the freeholders of each district who on such notice shall assemble before they proceed to the said election shall elect one of their number to be an inspector and two others of their number to be assistants to the person who shall preside at such meeting as aforesaid, which inspector and assistants shall exercise and perform all the powers and duties vested in and required of inspectors and assistants by the laws aforesaid for regulating the elections of justices of the peace, and the persons severally presiding as aforesaid shall administer to the said inspectors and assistants the oaths or affirmations required to be taken by them respectively by the same laws, and the persons authorized to preside at the said elections shall severally take an oath or affirmation to be administered by the inspectors and assistant judges or one of them faithfully to exercise the powers vested in them by this act to the best of their judgment.

(Section V. P. L.) And whereas the laws of this commonwealth require that every elector take the oath or affirmation of allegiance and fidelity and forbid the admission of his vote at any election unless he produce an authentic certificate thereof and there being no justice of the peace or other officer in the said county of Luzerne to administer the oath or affirmation of allegiance and fidelity, for want of which many freemen of the same county though otherwise qualified may be precluded from the right of electors:

For remedy whereof:

[Section IV.] Be it further enacted by the authority aforesaid, That the said Timothy Pickering, Esquire, Zebulon Butler and John Franklin be and each of them is hereby empowered to administer the oath or affirmation of allegiance and fidelity prescribed by the act, entitled "An act for securing to this commonwealth the fidelity and allegiance of the inhabitants thereof, and for admitting certain persons to the rights of citizenship,"² passed on the fourth day of March last, to each elector present at the meeting for the choice of the representative, councillor and other officers aforesaid, who shall not before have taken the same oath or affirmation or the oath or affirmation of allegiance and fidelity prescribed by the former laws of this commonwealth, and to give proper certificates thereof.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That the three persons whom the said Timothy Pickering, Esquire, Zebulon Butler and John Franklin shall appoint to preside as aforesaid at the elections of justices of the peace in the respective districts of said county shall be and each of them is hereby alike empowered to administer the oath or affirmation of allegiance and fidelity to the freeholders who shall assemble as aforesaid for the election of such justices and give proper certificates thereof.

[Section VI.] (Section VII. P. L.) And be it further enacted by the authority aforesaid, That all the powers hereby vested in the said Timothy Pickering, Esquire, Zebulon Butler and John Franklin, may be exercised by any one or more of them.

(Section VIII. P. L.) And whereas by reason of the peculiar

² Chapter 1206.

situation of the country now erected into the county of Luzerne, commissioners and other county officers have not heretofore been appointed, and therefore returns of the taxable inhabitants therein cannot be made to the judges of election, nor all the other rules and formalities observed which are required in counties and districts and districts completely organized and doubts may arise about the validity of the elections to be made as aforesaid:

For remedy whereof:

[Section VII.] Be it further enacted by the authority aforesaid, That all the elections which shall be made in the said county of Luzerne in pursuance of this act shall be deemed valid to all intents and purposes, any law usage or custom to the contrary notwithstanding. Provided, that in all future elections which shall be holden in the said county of Luzerne after the elections directed by this present act the same rules shall be observed as have been or shall be prescribed for regulating the elections in the other counties of this commonwealth.

(Section IX. P. L.) And whereas by the said act that part of the line which divides the counties of Northumberland and Luzerne (as described by the second section of said act) which is to be run from the head of Towanda creek, thence along the ridge that divides the waters of the east branch of Susquehanna river from those of the west branch, will run nearly a west course, therefore a line to be run from the mouth of Nescopeck due west will not be likely to make the necessary division:

For remedy whereof:

[Section VIII.] Be it enacted by the authority aforesaid, That the line from the mouth of Nescopeck 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.