

an oath or affirmation "faithfully and impartially to perform his duty or trust according to the directions of this act to the best of his judgment," which oath shall be administered to him and a record thereof kept as is by law directed respecting the inspectors of staves and heading, the expense whereof shall be paid by such officer.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That this act shall take effect and be in force from and immediately after the first day of March next.

Passed September 29, 1789. Recorded L. B. No. 4, p. 16.  
See the Acts of Assembly passed April 5, 1790, Charter 1514.

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## CHAPTER MCDLII.

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### AN ACT RELATING TO SHERIFFS AND CORONERS.

(Section I, P. L.) Whereas doubts have arisen whether the powers and authority of sheriffs do not expire at the end of one year from and after their respective elections, although another person should not be commissioned as sheriff at the end of such term and inconveniences have ensued and are likely to ensue from the want of a suitable provision in this behalf:

[Section I.] (Section II, P. L.) Be it therefore 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 the present and all future sheriffs of the city and county of Philadelphia and of every county within this commonwealth shall continue in office and execute the same and all things thereunto belonging until another sheriff shall be duly commissioned and notice thereof given to the first sheriff, notwithstanding the term for which he and they shall have been chosen and commissioned shall have expired and notwithstanding he and they shall have held and exercised the office of sheriff for the term of three

years, and that the execution of the said office and of all matters and things thereunto belonging shall be of the like force and effect as if the term for which such sheriff was elected or commissioned had not expired, anything to the contrary hereof in any former law or laws notwithstanding.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That the late and all former sheriffs of the city and county of Philadelphia and of each and every county within this commonwealth and their respective deputies shall be and the same are hereby indemnified and saved harmless against all and all manner of suits, actions and prosecutions which is, are or may be brought or commenced against them or any of them by reason of their or any or either of their execution of any legal process issued and directed to the said sheriffs respectively after the time for which they were respectively commissioned had expired and before another sheriff had been commissioned in the place and stead of any such sheriff and notice thereof given to the sheriff executing such process and that all such execution of legal process shall be and is hereby declared to be of the same force and effect as if the same had been executed by the sheriff or his deputies during the continuance of his commission. Provided always, That nothing herein contained shall extend to make good such process or execution of process or such acts of the same sheriff or of his deputies as would have been illegal or void had the same taken place during the continuance of his said commission.

And whereas sufficient provision is not made by the laws of this commonwealth for obliging the coroners of the several counties within the same to give sufficient security for the faithful discharge of their respective offices:

For remedy whereof:

[Section III.] (Section IV, P. L.) Be it further enacted by the authority aforesaid, That before any coroner of the city and county of Philadelphia or of any county within this commonwealth hereafter to be elected, chosen or appointed shall receive his commission or exercise any part of his said office,

he shall put in sufficient sureties in one half of the sum which is or shall be by law required from the sheriff of the same county that he will well and faithfully perform his duty and trust in the said office of coroner, which said sureties shall be taken in like manner and be of the like force and effect respecting the said office of coroner and the duties thereof as any sureties directed by law to be given by any sheriff respecting his office and the duties thereof and shall be in trust for and to and for the use of this commonwealth and of all persons concerned and the like proceedings for remedy and relief by the commonwealth and by all persons aggrieved shall thereon be had and obtained.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That if any sheriff of the city and county of Philadelphia or of any other county within this commonwealth shall be legally removed from his office or happen to die before the expiration of the term for which he shall have been commissioned, the coroner of the proper county shall execute the office of sheriff and all things thereunto appertaining until another sheriff shall be duly commissioned and notice thereof given as aforesaid, and the security and pledges given by every coroner in pursuance of this act shall be a security to the commonwealth and to all persons whatsoever for the faithful discharge and due performance of all the duties as well in and by this act [required] as by any other or former laws required from any such coroner and coroners.

And whereas the process by *distringas* is dilatory and expensive and it is necessary to provide some adequate remedy therein to prevent the delays of sheriffs and others in the duties of their respective offices:

[Section V.] (Section VI, P. L.) Be it therefore further enacted by the authority aforesaid, That the court out of which any writ of *distringas*, *vicecomitem*, *distringas nuper vicecomitem* or other writ of *distringas* proceeds may by a rule for that purpose made, order and direct that the issues levied from time to time shall be sold and the money arising thereby be applied in the first instance to pay such costs to the plaintiff as the said court shall think just under all circumstances, to order and to

have the remainder thereof in court to be retained till the defendant shall have appeared or other purpose of the writ be answered or to be rendered to the plaintiff for his debt, damages and costs where the same shall be ascertained. Provided always, That where the purpose of a writ is answered the said issues shall be returned, or, if sold, what shall remain of the money arising by such sale shall be repaid to the party distrained upon.

Passed September 29, 1789. Recorded L. E. No. 4, p. 13.

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## CHAPTER MCDLIII.

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AN ACT TO CEDE TO AND VEST IN THE UNITED STATES THE LIGHT-HOUSE AT CAPE HENLOPEN AND ALL THE BEACONS, BUOYS AND PUBLIC PIERS, TOGETHER WITH THE LANDS AND TENEMENTS THEREUNTO BELONGING AND TOGETHER WITH THE JURISDICTION OF THE SAME.

(Section I, P. L.) Whereas by an act of the senate and house of representatives of the United States in congress assembled, approved the seventh day of August in the year of our Lord one thousand seven hundred and eighty-nine by the president of the United States entitled "An act for the establishment and support of light-houses, beacons, buoys and public piers," provision is made "That all expenses which shall accrue from and after the fifteenth day of August one thousand seven hundred and eighty-nine in the necessary support, maintenance and repairs of all light-houses, beacons, buoys and public piers erected, placed or sunk before the passing of the said act at the entrance of or in any bay, inlet, harbor or port of the United States for rendering the navigation thereof easy and safe, shall be defrayed out of the treasury of the United States," under this proviso nevertheless, "That none of the said expenses shall continue to be so defrayed by the United States after the expiration of one year from the day aforesaid, unless such light-houses, beacons, buoys and public piers