

[Section II.] (Section III. P. L.) Be it further enacted by the authority aforesaid, That the townships of Upper Smithfield and Delaware, in the said county of Northampton, be and the same are hereby erected into a separate election district, to be called the Fifth District of said county, and that the free-men of said townships of Upper Smithfield and Delaware shall hereafter meet at the house now occupied by Johannes Van Etten, in the said township of Delaware, for the purpose of holding elections conformably to the constitution and laws of this commonwealth.

Passed March 5, 1791. Recorded L. B. No. 4, p. 129.

CHAPTER MDXXXI.

AN ACT TO ENABLE THE GOVERNOR TO APPOINT NOTARIES PUBLIC, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I. P. L.) Whereas the establishment of public notaries has been found useful in all commercial countries:

[Section I.] (Section II. P. L.) Be it therefore 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 after the first day of September next, the governor shall appoint and commission a competent number of persons of known good character, integrity and abilities, as notaries public, for the commonwealth of Pennsylvania, to reside within such place or places within this state, as the governor shall in and by the respective commissions direct, and the said notaries, whilst residing in such place or places, shall hold their said respective commissions during good behavior: Provided always, That there shall not be at any time more than six notaries appointed and commissioned to reside within the city and county of Philadelphia, nor more than three to reside in any other county within this state. And provided also, That no person shall be commis-

sioned as a notary who shall not have resided within this commonwealth two years next previous to his appointment.

[Section II.] (Section III. P. L.) And be it further enacted by the authority aforesaid, That the said notaries so commissioned as aforesaid, and every of them, shall have the power of administering oaths and affirmations according to law, in all matters belonging or incident to the exercise of their notarial office, and that all and every person and persons that shall be legally convicted of having wilfully and knowingly made or taken a false oath or affirmation, before any notary or notaries, in any matter or matters within his or their official duty, shall suffer the pains and penalties of wilful and corrupt perjury.

[Section III.] (Section IV. P. L.) And be it further enacted by the authority aforesaid, That the said notaries, and every of them, shall have the power to receive the proof or acknowledgment of all instruments of writing relating to commerce or navigation, such as bills of sale, bottomries, mortgages and hypothication of ships or vessels, charter-parties of affreightment, letters of attorney, and such other writings as have been usually proved or acknowledged before notaries within this commonwealth, and also to make declarations and testify the truth thereof under their seals of office concerning all matters by them done in virtue of their respective office.

[Section IV.] (Section V. P. L.) And be it further enacted by the authority aforesaid, That every of the said notaries shall keep fair registers of all official acts by them done in virtue of their office, and shall, when thereunto required, give a certified copy of any record in his office unto any person or persons applying for the same, such person or persons paying the customary fees therefor.

[Section V.] (Section VI. P. L.) And be it further enacted by the authority aforesaid, That in case of the death, resignation, disqualification or removal of any of the said notaries, his or their registers and other public papers shall be lodged within thirty days next after such death, resignation, disqualification or removal, in the office of the recorder of deeds of the particular county where he or they resided, who may bring and main-

tain actions of trover or detinue for the same, and such registers or public papers shall not in any case be liable to be seized, attached or taken in execution for debt, or for any demand whatsoever.

[Section VI.] (Section VII. P. L.) And be it further enacted by the authority aforesaid, That every notary shall provide a public notarial seal, with which he shall authenticate all his acts, instruments and attestations, on which seal shall be engraved the arms of this commonwealth, and shall have for legend the name, surname and office of the notary using the same, and the place of his residence.

[Section VII.] (Section VIII. P. L.) And be it further enacted by the authority aforesaid, That every notary on his appointment, and before he enters upon the duties of his office, shall take and subscribe an oath or affirmation, that he shall and will well and faithfully perform the duties of his office, and also, that he shall and will support the constitution of this commonwealth; and also shall give bond, himself in a sum not exceeding six hundred pounds, and two sureties in a sum not exceeding three hundred pounds each, conditioned for the faithful performance of the duties of his office, the amount of the said bonds to be determined on by the governor, which obligations shall be recorded in the rolls-office, or office for recording of deeds, within the respective counties where he may reside, and may be sued by any party or parties injured, in like manner and with the like effect as bonds given by sheriffs and coroners for the faithful execution of their respective offices.

Passed March 5, 1791. Recorded L. B. No. 4, p. 131. See the Act of Assembly passed April 4, 1798, Chapter 2004.

CHAPTER MDXXXII.

AN ACT TO ENJOIN CERTAIN DUTIES ON THE SECRETARY OF THE COMMONWEALTH, AND FOR OTHER PURPOSES.

[Section I.] (Section I. P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-