

ures that he may deem necessary for the purpose, and also to protect the persons and properties of the said Elizabeth Sergeant and Esther Waters from any process whatever, issued out of any federal court, in consequence of their obedience to the requisition, so as aforesaid directed to be made to them, by the attorney general of this commonwealth; and in the name of this commonwealth to give to the said Elizabeth Sergeant and Esther Waters, a sufficient instrument of indemnification in case of their payment of the monies aforesaid, in compliance with this act, without suit brought against them on the part of this commonwealth, for the recovery of the same.

Approved April 2, 1803. Recorded in L. B. No. 9, p. 221.
Note (*). Chapter 811; 9 Statutes at Large, p. 277.

CHAPTER MMCCCXCI.

AN ACT TO ORGANIZE THE PROVISIONAL COUNTIES OF BEAVER, BUTLER, MERCER AND ERIE, FOR JUDICIAL PURPOSES.

Section I. (Section I, P. L.) Be it 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 from and after the first Monday of November next, the inhabitants of the counties of Beaver, Butler, Mercer and Erie respectively, shall at all times thereafter, enjoy all and singular, the jurisdictions, powers, rights, liberties and privileges whatsoever within the same, which the inhabitants of other counties of this state do, may or ought to enjoy within their respective counties, by the constitution and laws of the commonwealth.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the counties of Beaver, Butler, Crawford, Mercer and Erie, shall form a separate circuit or district, to be called the sixth district, and the president to be appointed for said district, and the associate judges to be appointed in each of the aforesaid counties, shall have like powers, jurisdictions and authorities within the same, as are

warranted to, and exercised by, the judges in other counties of this commonwealth.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That all actions of trespass and ejectment, for the trial of titles to [lands], actions of trespass quare clausum fregit, for entry into any lands or tenements, within the bounds of the counties of Beaver, Butler, Mercer and Erie, which shall, at the time of passing this act, or before the first Monday of November next, have been commenced in the courts of common pleas, or circuit courts of the counties of Allegheny or Crawford, or which have been commenced in the county of Allegheny or Crawford, or which have been commenced in the county of Allegheny, in the court of common pleas or circuit court as aforesaid, within the bounds of the county of Crawford, and which shall on the said first Monday of November next, be still pending and undetermined, shall be transferred to the courts of common pleas and circuit courts, to which they respectively appertain, in the several counties organized by this act, and containing the lands and tenements, for the possession whereof, or trespass whereon, any of the aforesaid actions shall or may have been brought, there to be proceeded on to trial and determination according to law, in the same state, and subject to the same rules, as they or any of them were on the said Monday: And the prothonotaries of Allegheny and Crawford counties, shall and they are hereby required and enjoined, within thirty days after the said first Monday of November next, to make out a docket, containing a statement of all such actions then pending and undetermined, in the said counties of Allegheny and Crawford, and shall have the said docket, together with the records, declarations and other papers respecting all such actions, then pending and undetermined as aforesaid, ready to be delivered to the prothonotaries of the counties to which they respectively appertain, and which contain the lands and tenements, for the possession whereof, or trespass whereon, any of the aforesaid actions shall or may have been brought, which

prothonotaries respectively, before they receive the same, shall pay to the prothonotaries of the counties of Allegheny and Crawford, for every action contained in said docket, the usual fees allowed for similar services, which shall be reimbursed to them by the counties to which they belong; and all such actions so pending and undetermined, and transferred as aforesaid, by the prothonotaries of Allegheny and Crawford counties, and by the prothonotary of the county of Allegheny, to the prothonotary of the county of Crawford, shall be considered as pending in the courts of common pleas, or circuit courts in the counties to which they have been respectively transferred, from and after the first Monday of November next; and shall be proceeded upon in like manner, as if they had been originally commenced in said counties; and the prothonotaries of the counties of Beaver, Butler, Mercer and Erie respectively, shall account, upon the receipt of the costs of all such actions, or any of them, to the prothonotaries of the counties of Allegheny and Crawford, as the case may be, for all legal fees incurred in the counties of Allegheny or Crawford on such actions, or any of them; and no action or suit other than the said actions of trespass and ejectment, or trespass quare clausum fregit, now commenced, or which may be commenced in the counties of Allegheny and Crawford, before the first Monday of November next, against any person living or residing within the bounds of the counties of Beaver, Butler, Mercer, Crawford and Erie, shall be stayed, discontinued or affected by this act, or anything herein contained, but the same may be prosecuted in the same manner as if this act had not been passed.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the sheriffs, coroners, and other public officers, of the counties of Allegheny and Crawford, shall continue to exercise the duties of their respective offices, within the counties of Beaver, Butler, Mercer and Erie, as heretofore, until the first Monday of November next.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That the sheriffs, coroners, treasurers and all such other officers as have heretofore usually

given bail for the faithful discharge of the duties of their respective offices, who may have heretofore been elected or appointed in the counties of Beaver, Butler, Mercer and Erie, before they enter on the duties of their offices, shall give sufficient sureties in the like sums, and in the like manner and form, and for the like purposes, uses and trusts, as such officers are obliged to do in the counties of Allegheny and Crawford, or for such sums, or in such manner, as may be hereafter directed by law.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners that may be hereafter elected for the counties of Beaver, Butler, Mercer and Erie respectively, to erect or cause to be erected, as soon as they may deem convenient, a court house, prison and other public building, for the safe keeping of the records and papers, in each of the counties aforesaid, on such parts of the public square, in the town of Beaver, in the county of Beaver; in the town of Butler, in the county of Butler; in the town of Mercer, in the county of Mercer; in the town of Erie, in the county of Erie, as the commissioners of the said respective counties may think proper; and the said commissioners of the counties of Beaver, Butler, Mercer and Erie respectively, shall have authority to call on the commissioners of the respective counties of Allegheny and Crawford, for the purpose of examining, liquidating and receiving such balances, as shall be found due to the said respective counties of Beaver, Butler, Mercer and Erie, and reserved for the use of the same, agreeably to an act of the general assembly of this commonwealth, passed the twelfth day of March, one thousand eight hundred.⁽¹⁾

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the courts for the county of Beaver, shall be held in the house now occupied by Abner Laycock, in the town of Beaver, until a court house shall be erected, or until the county commissioners and the court shall think proper to have it held at some more convenient house in said town.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the respective commissioners of the counties of Butler and Mercer, shall procure houses as near the centres of their respective counties as convenience will admit, at the least possible expense. in which they shall hold their respective courts, until they shall have erected their court houses; or if such houses cannot be conveniently procured, the aforesaid commissioners shall have power to erect temporary buildings, in each of their respective county towns, for that purpose.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the courts for the county of Erie, shall be held at the house now occupied by George Beeler, in the town of Erie, until a court house shall be erected in said town, or until the county commissioners and the court shall think it proper to have it held at some more convenient house in said town.

Section X. (Section X, P. L.) And be it further enacted by the authority aforesaid, That the citizens inhabitants of the respective counties of Beaver, Butler, Mercer and Erie, who are, or shall be, qualified to elect agreeably to the constitution and laws of this state, shall, at the first general election to be held in the counties aforesaid, on the second Tuesday of October next, choose two fit persons for sheriffs, two for coroners, and three for commissioners, in each of said counties, in the same manner, and under the same rules, regulations and penalties as by the constitution and laws of this commonwealth, similar officers are chosen in other counties, and said officers when chosen as aforesaid, and duly qualified to enter on the duties of their respective offices, shall have and enjoy, all and singular, the powers, authorities, privileges and emoluments in or any way arising, out of their respective offices, in and for the counties aforesaid respectively, as fully as such officers are entitled to, in any other of the counties within this commonwealth.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That from the first Monday in February next, the courts of common pleas and quarter ses-

sions of the peace, shall be held within the aforesaid circuit or district, agreeably to the following arrangement; that is, in the county of Beaver, on the first Mondays of February, August and November; in the county of Butler, on the Mondays next following the courts in Beaver; in the county of Mercer on the Mondays next following the courts in Butler; in the county of Crawford on the Mondays next following the courts in Mercer; in the county of Erie, on the Mondays next following the courts in Crawford.

Approved April 2, 1803. Recorded in L. B. No. 9, p. 230.
Note (*). Chapter 2130; 16 Statutes at Large, p. 454.

CHAPTER MMCCCXCII.

AN ACT TO ERECT PART OF SOUTH IRWIN TOWNSHIP, IN THE COUNTY OF VENANGO, INTO A SEPARATE ELECTION DISTRICT.

Section I. (Section I, P. L.) Be it 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 from and after the passing of this act, the following described part of South Irwin township, in the county of Venango, shall be a separate election district, viz. Beginning on the west verge of Allegheny river near the house now occupied by Daniel Fry; thence due west to the county line dividing the counties of Venango and Mercer; thence southward along the line dividing said counties, to the southwest corner of Venango county; thence eastward along the line dividing the counties of Venango and Butler to the verge of Allegheny river; thence up the same to the place of beginning; and the electors thereof shall hold their general elections at the house now occupied by Patrick Davidson, to be known by the name of South Irwin district.

Approved April 2, 1803. Recorded in L. B. No. 9, p. 285.