
CHAP. CLXXXIX.

AN ACT to divide the counties of Seneca and Cayuga, and for other purposes.

Passed April 7, 1817.

I. BE it enacted by the people of the State of New-York, represented in Senate and Assembly, That all that part of the counties of Seneca and Cayuga, beginning at the head of the Seneca Lake, thence east, along the south bounds of the townships of Hector, Ulysses and Dryden, to the south east corner of Dryden; thence north, along the east line of Dryden and Locke, to the north east corner of lot No. sixty, in Locke; thence west, along the north lines of lots number sixty, fifty-nine, fifty-eight, fifty-seven, fifty-six, fifty-five, fifty-four, fifty three, fifty-two and fifty-one, to the west line of said township of Locke; thence along the north lines of lots number fifty, forty-nine, forty-eight, forty-seven, forty-six, forty-five, forty-four, forty-three and forty-one, in the town of Genoa, (formerly called Milton) to the Cayuga Lake; thence west, crossing said lake, to the north east corner of lot number fifty-two, in the township of Ovid; thence along the north line of lots number fifty-two, fifty-one, fifty, forty-nine, forty-eight, forty-seven, forty-six, forty-five and forty-three, to the west line of the county of Seneca; thence southerly, along the said line, to the place of beginning, shall be one separate county, to be called and known by the name of Tompkins; and all the residue of the county of Seneca, together with that part

Bounds of
Tompkins.

of the county of Cayuga described as follows, to wit: beginning at the north east corner of the town of Galen; thence north, along the west bounds of the township of Cato, to the north west corner thereof; thence north, to the Ontario Lake; thence along said lake, to the county of Ontario; thence south, along the east bounds of said county, to the north west corner of the township of Galen, shall be and remain a separate county by the name of Seneca.

Courts, when holden.

II. *And be it further enacted*, That there shall be held in and for the county of Tompkins, a court of common pleas and a court of general sessions of the peace, to be held in three terms, to commence as follows, to wit: the first term of the said court shall begin on the fourth Tuesday of May next, the second term shall begin on the fourth Tuesday of September next, and the third term shall begin on the fourth Tuesday of January next; and each of the said terms of the said courts may continue to be held until the Saturdays following the said Tuesdays; inclusive. And the said courts of common pleas shall have the same jurisdiction, powers and authority in the said county, as courts of common pleas and general sessions of the peace in the other counties of this state have in their respective counties: *Provided*, that nothing in this act contained, shall be construed to affect any suit or action, in any court whatsoever, already commenced, or that shall be commenced before the fourth Tuesday of May next, so as to work a wrong, or to prejudice the parties therein, or to affect any criminal or other proceedings on the part of people of this state, but all such civil and criminal proceedings shall and may be prosecuted to trial, judgment and execution, as if this act had not been passed.

Proviso.

Where held,

III. *And be it further enacted*, That the said courts of common pleas and general sessions of the peace, in and for the said county of Tompkins, shall be holden at the meeting house in the village of Ithaca, until the court house in and for said county shall be erected and so far completed as to be, in the opinion of the judges of the court of common pleas in and for said county, convenient to hold their courts therein; and the said courts of common pleas and general sessions of the peace shall thenceforth be holden, in and for said county, in said court house.

Privileges.

IV. *And be it further enacted*, That the freeholders and inhabitants of the said county of Tompkins, shall have and enjoy all and every the same rights, powers and privileges, as the freeholders and inhabitants of any of the counties of this state are by law entitled to have and enjoy.

Prisoners, where confined.

V. *And be it further enacted*, That it shall and may be lawful for all courts and officers of said county of Tompkins, in all cases, civil and criminal, to confine their prisoners in the gaol of the county of Seneca; and that it shall not be the duty of the justices of the supreme court to hold a circuit in the said county of Tompkins, until the expiration of one year, unless in their judgment they shall deem it necessary.

Members of assembly.

VI. *And be it further enacted*, That the said county of Tompkins shall be entitled to elect two members of the Assembly, and the county of Seneca shall be entitled to choose two members of the Assembly, and the county of Cayuga shall be entitled to choose three

members of the Assembly, in the same manner as the other counties within this state are by law entitled.

VII. *And be it further enacted*, That it shall be the duty of the supervisors and county treasurers, of the said counties of Cayuga, Seneca and Tompkins, to meet on the second Tuesday of June next at the village of Auburn, in the county of Cayuga, and apportion all the monies in the hands of the respective treasurers of the counties of Cayuga and Seneca, as to them, or a majority of them, shall appear to be just and equitable.

Monies to be divided.

VIII. *And be it further enacted*, That that part of the township of Locke, which lies within the county of Tompkins, as before directed, shall be a separate town by the name of Division, and the first town meeting shall be held on the fifteenth day of April, in the year one thousand eight hundred and seventeen, at the house of Samuel Love, in said town. The remaining part of said township of Locke, shall remain a separate town by the name of Locke, and the first town meeting in Locke shall be held at the place where it was last adjourned to.

Division, a new town.

IX. *And be it further enacted*, That all that part of the township formerly called Milton, which lays within the county of Tompkins, as before described, shall be a separate town by the name of Lansing; and the first town meeting shall be held on the fifteenth day of April, in the year one thousand eight hundred and seventeen, at the house of Samuel Howe, in said town; and the remaining part of the said township of Milton shall remain a separate town by the name of Genoa, and the first town meeting in Genoa, shall be held at the house of Ebenezer Hewit.

Lansing.

X. *And be it further enacted*, That all that part of the township of Ovid, which lays in the county of Tompkins, as before directed, shall be a separate town by the name of Covert, and the first town meeting shall be held on the fifteenth day of April, in the year one thousand eight hundred and seventeen, at the house of Chauncey Pratt, in said town; and the remaining part of said township of Ovid shall remain a separate town by the name of Ovid, and the first town meeting shall be held at the house of Daniel Scott.

Covert

XI. *And be it further enacted*, That all that part of the township of Sterling, which lays in the county of Seneca, according to the line as herein before mentioned, shall be and is hereby annexed to the town of Wolcot.

Sterling.

XII. *And be it further enacted*, That the supervisors and overseers of the poor in the town of Ovid, and the town of Covert, shall meet on the second Tuesday of May next, at the house of Daniel Scott, in the town of Ovid; and also the supervisors and overseers of the poor of the town of Genoa and the town of Lansing, shall meet on the day aforesaid, at the house of Samuel Howe, in the town of Lansing; and also the supervisors and overseers of the poor of the towns of Locke and Division, shall meet at the house of Samuel Love, on the day aforesaid; and the said several supervisors and overseers of the poor shall divide the monies and poor belonging to the said towns, and thereafter each of the said towns shall maintain their own poor.

Poor & money to be divided.

XIII. *And be it further enacted*, That it shall be the duty of the commissioners of common schools, in the several towns which are

Commissioners of schools

divided by this act, to meet at the same time and place where the supervisors and overseers of the poor are directed to meet, and make an equitable apportionment of the monies arising either from the rents or sale of the gospel and school lots, belonging to each of the original towns hereby divided as aforesaid.

And whereas sundry freeholders and inhabitants of that territory hereby erected into a new county by the name of Tompkins, have offered to build a suitable court house and gaol for said county, by voluntary subscription, at the village of Ithaca, in the town of Ullyses—Therefore,

Court house
and gaol.

XIV. *Be it further enacted*, That the court house and gaol of the county of Tompkins, shall be erected at such place in said village of Ithaca, as the surveyor general shall designate: *Provided*, That in case of the death or refusal of the said surveyor general to designate such site for said court house and gaol, on or before the first day of May next, it shall and may be lawful for the judges of the court of common pleas, or a majority of them, whose duty it shall be to meet on a certain day to be fixed upon by the first or senior judge, on or before the first day of June next, and establish and fix the site for such court house and gaol, whose decision shall be conclusive in the premises: *Provided further*, That a suitable and convenient lot for said court house and gaol, shall have been first conveyed to the supervisors of said county, and their successors forever: *And provided further*, That the said freeholders and inhabitants shall, on or before the first day of May next, have executed to the supervisors of said county, and their successors in office, good and sufficient bonds, with approved security, to the amount of seven thousand dollars, to be paid in such manner and at such times, as the said supervisors shall direct; and in case of the failure of such bonds being given as aforesaid, the said county shall be reannexed to the original counties to which it formerly belonged before the passing of this act; and whenever the said gaol, in and for the said county of Tompkins, shall be so far completed as, in the opinion of the sheriff of the said county, it will be safe to remove the prisoners thereto, it shall and may be lawful for said sheriff to remove all his prisoners, then confined in the gaol of the county Seneca, or on the limits thereof, to said gaol in the county of Tompkins, and such removal shall not be considered an escape.

Proviso.

Commission-
ers.

XV. *And be it further enacted*, That Luther Gere, William R. Collins and Daniel Bates, shall be and they are hereby appointed commissioners to superintend the building of said court house and gaol, in said county of Tompkins, and shall account to the supervisors of said county for all monies which they may have received, whenever thereunto required: *Provided*, That the said commissioners shall first have given bonds, with approved security, to the said supervisors, for the faithful performance of the trust reposed in them, and that the said commissioners shall receive two dollars per day for their services, for each day they may be actually employed in the duties of their said office, which said accounts shall be audited by the board of supervisors, and paid as other contingent charges of the county.

Proviso.

Commission-
ers.

XVI. *And be it further enacted*, That John Knox, Reuben Swift and John Watkins, be and they are hereby appointed com-

missioners, to superintend the building of a court house and gaol in the village of Waterloo, in the town of Junius, in the county of Seneca, on such lot as the said commissioners shall select: *Provided*, said lot shall first have been conveyed to the supervisors of the said county of Seneca and their successors forever.

XVII. *And be it further enacted*, That the supervisors of the several towns in the county of Seneca for the time being, or a majority of them, shall be and they are hereby authorised and required, to direct to be raised and levied on the freeholders and inhabitants of the said county, the sum of four thousand dollars, with the additional sum of five cents on each dollar for collecting the same; which sum shall be raised at such times, and levied and collected, in the same manner as the other contingent charges of the county are levied and collected; *Provided*, that before the said supervisors shall order the said sum of money to be raised as aforesaid, they shall have received a certificate from the said commissioners, or a majority of them, that a sum equal to that which they shall order to be raised, has been subscribed by voluntary donation towards the building of said court house and gaol.

Money to be raised.

Proviso.

XVIII. *And be it further enacted*, That the said commissioners, or a majority of them, may contract with the workmen, and purchase materials, for building said court house and gaol, and shall from time to time draw upon the treasurer of the said county for such sums of money, for the purposes aforesaid, as shall come into the treasury by virtue of this act; and the treasurer is hereby required, out of the monies aforesaid, to pay to the order of the said commissioners, the several sums of money to be by them drawn for; and it is hereby made the duty of the said commissioners, to account with the supervisors of the said county for the monies which they shall have received from the treasury, when thereunto required.

Commissioners' duty.

XIX. *And be it further enacted*, That it shall be lawful for the treasurer of the county of Seneca to retain in his hands one cent on each dollar, for his trouble in receiving and paying out the monies directed to be raised in the said county by this act.

Treasurer's fees.

XX. *And be it further enacted*, That whenever the said court house in the village of Waterloo shall be so far completed, as in the opinion of the first judge of the county of Seneca shall be convenient to hold courts therein, then it shall be the duty of the court of common pleas and general sessions of the peace, to adjourn their courts from their present court house in said county, to the court house in the said village of Waterloo; and whenever the said gaol in the village last aforesaid shall be so far completed, as in the opinion of the sheriff of said county shall be safe to keep the prisoners of said county, then it shall and may be lawful for the said sheriff to remove the said prisoners from the gaol in the town of Ovid, to the gaol in the village of Waterloo; and such removal shall not be considered an escape; and the court house and gaol so to be erected in the village of Waterloo shall thenceforth be the court house and gaol of the county of Seneca.

Court house & gaol at Waterloo.

XXI. *And be it further enacted*, That it shall be lawful for the supervisors of the county of Seneca to dispose of the old court house and gaol in the town of Ovid, after the new court house and gaol shall be erected in the village of Waterloo, in such manner as they

Old court house.

shall think proper, and to execute a good and sufficient deed of conveyance of the same, and of the ground belonging to the said county whereon the same now stands, and to appropriate the monies to such public use as they may think proper.
