

CHAPTER MDCCLL.

AN ACT FOR ERECTING PART OF THE COUNTY OF BEDFORD INTO A SEPARATE COUNTY.

Whereas the inhabitants of the western part of Bedford county have, by their petition, set forth to the general assembly of this state the great hardships they labor under from being so remote from the present seat of justice and the public offices. For remedy whereof:

[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 all that part of Bedford county, lying and being to the westward of a line to be drawn along the top of the Allegheny mountain, from where the Maryland line crosseth the same, to where the line of Huntingdon county crosseth the same mountain, shall be, and the same is hereby, declared to be erected into a county, henceforth to be called Somerset.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of the said county of Somerset be entitled, and shall at all times hereafter have all and singular the courts, jurisdictions, offices, rights and privileges to which the inhabitants of other counties of this state are entitled by the constitution and laws of this state.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That from and after the fourth Monday in September next, the courts of common pleas and general quarter sessions of the peace in and for the said county of Somerset, shall be opened and held on the Mondays next following the courts of Westmoreland county, at Brunnerstown, in the said county of Somerset, until a court house and gaol shall be erected as hereinafter directed shall then be held at said court house.

[Section IV.] (Section IV, P. L.) And be it further enacted

by the authority aforesaid, That all the justices of the peace now commissioned for the districts of the present county of Bedford, who reside within the limits of the county of Somerset, shall be considered as, and shall be, justices of the peace for the said county of Somerset.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That no suit or prosecution which has been heretofore commenced, or which shall be commenced, in the courts of the county of Bedford, before the fourth Monday in September next, shall proceed to judgment, and execution shall be issued and done of all such judgments by the sheriff and coroner of Bedford county, as if this act had not been made.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all taxes and arrears of taxes, laid, or directed to be laid, or which have become due within the county of Somerset, before the passing of this act, shall be laid, assessed, levied and collected, in like manner as if this act had not been passed, and all sums of money due to this commonwealth for militia fines, in the said county of Somerset, shall be collected and recovered, as if this act had not been made.

[Section VII.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the sheriff, treasurer and prothonotary, and all such officers as have heretofore usually given surety for the faithful discharge of their respective offices, who shall hereafter be appointed or elected in the said county of Somerset, before they, or any of them, shall enter on the execution of their respective offices, shall give sufficient security, in the same manner and form, and for the same uses, trusts and purposes, as such officers are obliged by law, for the time being, to do in the county of Bedford.

[Section VIII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the sheriff, coroner and public officers of the county of Bedford, other than the justices of the peace, shall continue to exercise the duties of their respective offices within the county of Somerset, until similar officers shall be appointed agreeably to law within the said county of Somerset.

[Section IX.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of the county of Bedford, and the county of Somerset, shall jointly elect three representatives (to serve in the house of representatives of this state) in the same mode, under the same regulations, and make return in the like manner, as is directed by the existing laws of this state for conducting the elections and making returns of the elections of the county of Bedford, anything in this act to the contrary in anywise notwithstanding.

[Section X.] (Section X, P. L.) And be it further enacted by the authority aforesaid, That the governor be authorized, and he is hereby required, to appoint five commissioners, who do not reside in the county of Somerset, which commissioners, or a majority of them, shall meet at the town of Berlin, on the first Monday of September next, and proceed to view and determine upon the most eligible and proper situation for erecting the public buildings for the said county, and make their report into the office of the secretary of this commonwealth, on or before the first day of October next, which report so made shall be final, and shall fix and determine the spot for the seat of justice in and for the said county; for which service each of the said commissioners shall have and receive three dollars per diem, for every day they shall be employed in the said service, to be paid by warrants drawn by the county commissioners on the treasurer of Bedford county.

[Section XI.] (Section XI, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of taxes of the said county, which shall be elected at the next annual election, to take assurance to them, and their successors in office, of such lot or piece of ground as shall have been approved of by the commissioners to be appointed as aforesaid, or a majority of them, for the purpose of erecting thereon a courthouse, gaol and offices for the safe keeping of the records; and that for defraying the expenses thereof the county commissioners shall assess and levy, in the manner directed by the acts for raising county rates and levies, a sum not exceeding two thousand dollars.

[Section XII.] (Section XII, P. L.) And be it further

enacted by the authority aforesaid, That the aforesaid county of Somerset shall be, and is hereby, declared to belong to the fifth district, consisting of the counties of Allegheny, Westmoreland, Fayette and Washington, and that the president of the courts of common pleas within the said district shall be president of the courts of common pleas of the said county.

[Section XIII.] (Section XIII, P. L.) And be it further enacted by the authority aforesaid, That the said county of Somerset shall form a part of the district composed of the counties of Bedford, Franklin and Huntingdon, for the election of a member of congress, and of the counties of Bedford and Huntingdon, for the election of a member of the senate of the state of Pennsylvania.

[Section XIV.] (Section XIV, P. L.) And be it further enacted by the authority aforesaid, That where the division line aforesaid shall divide a township, the part of the township thus divided that will remain in Bedford county shall be a township, and retain its original name, and the part of a township thus divided that will remain in the county of Somerset shall be a township, and retain its original name, until the same shall be altered by the courts of general quarter sessions of the peace for the said counties respectively.

[Section XV.] (Section XV, P. L.) And be it further enacted by the authority aforesaid, That the inhabitants of the several townships of the said county of Somerset, qualified by law to elect, shall continue to hold their elections at the usual place where they have heretofore held the same.

[Section XVI.] (Section XVI, P. L.) And be it further enacted by the authority aforesaid, That the commissioners of the county of Somerset, elected in pursuance of the directions of this act, shall be authorized, and they are hereby authorized, required and directed, to take faithful and accurate account of all the taxable inhabitants in the said county of Somerset, and make return thereof, under their hands and seals, to the legislature of this commonwealth, on or before the first day of February, one thousand seven hundred and ninety-six.

[Section XVII.] (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That from and after the

fourth Monday in September next, the courts of common pleas and of general quarter sessions of the peace for the county of Fayette, shall be held on the Mondays next following the courts of Somerset county, and the same courts for the county of Washington, shall be held on the Mondays next following the Fayette county court.

Passed April 17, 1795. Recorded L. B. No. 5, p. 446, etc.

CHAPTER MDCCCLII.

AN ACT TO REGULATE THE MODE OF ASSESSING AND COLLECTING COUNTY RATES AND LEVIES.

[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 the freemen of each and every ward, township or district in the city and county of Philadelphia, and in each and every of the other counties of the commonwealth, shall, on the Saturday next preceding the second Tuesday of October in the present year, and on the same day of the same month in every term of three years thereafter, (elect in the same manner, at the same place, and under the same regulations, as the inspectors for the general election are by law directed to be chosen) three reputable freeholders, residing within the bounds of their respective wards, townships or districts, to serve for the year ensuing each and every election, one as assessor, and two as assistant assessors, of the wards, townships or districts, respectively in which such freeholders shall be so elected; and each and every assessor and assistant assessor shall be entitled to have and receive from the county treasurer, as a compensation for his services, the sum of one dollar for each and every day he shall be employed in discharging the duties of his office, and if any person or persons, duly elected an assessor, assistant assessor or assessors, or assistant assessors as aforesaid,