

President of the court of common pleas, his powers in this county.

the constitution and laws of this commonwealth, to hold courts of oyer and terminer and general jail delivery therein, for the trial of capital and other offenders, and to do and perform all other acts and duties as fully as he may or can do in any other county of the said district.

JOHN WEBER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of March, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER LV.

*An ACT to erect the town of Northampton, in the county of Northampton into a borough.*

SECT. I. *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 town of Northampton, in the county of Northampton, shall be and the same is hereby erected into a borough, which shall be called the "Borough of Northampton," and shall be comprised within the following bounds, to wit; beginning at a post on the northern bank of Little Lehigh creek; thence extending by lands of John Wagner and Abraham Worman, and running along the line dividing the town and the out lots, north, eighteen degrees west, to a stone, the northwestern corner of said town; thence along the line dividing the town and out lots, north, seventy-two degrees east, to a post on the western bank of Jordan creek; thence down the said creek, the several courses thereof, to the junction of the said Lehigh and Jordan creeks; thence up the said Lehigh creek, the several courses thereof, to the place of beginning.

Town of Northampton erected into a borough,

Its boundaries.

Qualification of electors.

Where to hold the first election.

Place thereafter to be appointed by the corporation.

Time of holding election.

To be by ballot and between certain hours.

What officers are to be elected.

SECT. II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for all persons entitled to vote for members of the legislature, who have resided in the said borough twelve months previous to such election, to meet at the house of George Savitz, in the said borough, on the first Monday of May, one thousand eight hundred and eleven, and afterwards yearly and every year at the place agreed upon by the corporation, and then and there elect by ballot, between the hours of twelve and six of the same day, one reputable citizen, residing therein, who shall be styled the burgess of the borough, and five reputable citizens residing therein, to be a town council, and one reputable citizen residing therein to be high constable, and two reputable citizens residing therein to act as road

and street commissioners ; but previous to such elections the electors shall choose by ballot two reputable citizens to be judges, one inspector, and two clerks of said election ; which election of judges, inspector and clerks shall be held the first time by the constable of the said town of Northampton, and afterwards by the high constable of the said borough, and two reputable citizens of the said borough, whom he shall choose as assistants between the hours of ten and twelve of the day appointed for the election of the burgess, council, &c. And the said judges, inspectors and clerks before they enter upon the duties of their respective offices, shall take an oath or affirmation before any judge or justice of the peace for the said county, to perform the same with fidelity, and after the said election shall be closed shall declare the persons having the greatest number of votes to be duly elected, and make out duplicate certificates thereof signed by the judges, one of which shall be transmitted to each of the persons elected, and the other filed among the records of the corporation, and in case of death, resignation, removal, or refusal to accept of any of the said offices, the town council shall appoint a reputable citizen to supply such vacancy.

Officers of election to be chosen by ballot.

First election to be held by the constable of the town, subsequently by the high constable of the borough and two assistants.

Election officers to be on oath of affirmation.

Publish the result of the election, make out certificates and transmit them to the persons elected, &c.

Town council to fill vacancies.

SECT. III. *And be it further enacted by the authority aforesaid,* That from and after the first Monday of May, one thousand eight hundred and eleven, the burgess and town council duly elected as aforesaid, and their successors shall be one body politic and corporate in law by the name and style of, "The Burgess and Town Council of the Borough of Northampton," and shall have perpetual succession, and the said burgess and town council and their successors shall be capable in law to have, receive, purchase, hold and possess goods and chattels, lands and tenements, rents, liberties, jurisdictions, franchises and hereditaments, to them and their successors in fee simple or otherwise, not exceeding the yearly value of five thousand dollars ; also to give, grant, sell, let and assign the same goods, chattels, lands, tenements, hereditaments and rents, by the name and style aforesaid, they shall be capable in law to sue and be sued, plead and be impleaded in any of the courts of this commonwealth in all manner of actions whatsoever, and to have and use one common seal, and the same from time to time at their will, to alter as shall appear necessary.

Style of the corporation.

Jurisdictions, franchises, &c.

Yearly value of income not to exceed 5000 dollars.

Capable of suing and being sued.

Common seal to be altered at pleasure.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if any person duly elected as burgess, members of the town council, high constable, or road and street commissioner as aforesaid, and having received notice thereof as aforesaid, shall refuse or neglect to take upon himself the execution of the office to which he shall have been elected, every person so refusing or neglecting, shall forfeit and pay the sum of ten dollars, which fine and all other fines and forfeitures incurred and made payable in pursuance of this act or the by-laws and ordinances

Penalty on persons elected refusing or neglecting to do so.

How fines are to be appropriated.

of the town council, shall be for the use of the corporation; provided that no person shall be compelled to serve more than one in any term of five years.

Officers of the corporation to be under oath or affirmation.

SECT. V. *And be it further enacted by the authority aforesaid,* That the burgess, town council, high constable, and road and street commissioners and each of them before entering upon the duties of their respective offices, shall take an oath or affirmation before any judge or justice of the peace of the proper county, to support the constitution of the United States and of this State, and to execute the duties of their respective offices with fidelity, and the certificates of such oaths or affirmations shall be filed among the records of the corporation.

Authority to meet and make by-laws, &c. under certain restrictions.

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the town council to meet as often as occasion may require, and enact such by-laws and make such rules, regulations and ordinances as shall be determined by a majority of them, necessary to promote the peace, good order, benefit and advantage of the said borough, particularly of providing for the market, streets, alleys and highways therein, they shall have power to assess, apportion and appropriate such taxes as shall be determined by a majority of them, necessary for carrying the said rules and ordinances into complete effect, and also appoint a town clerk, a treasurer, and a clerk of the market, annually, and such other officers as shall be deemed necessary from time to time; *Provided,* That no by-law, rule or ordinance of the said corporation shall be repugnant to the constitution or laws of the United States or of this State, and that no person shall be punished for a breach of a by-law or ordinance made as aforesaid, until three weeks have expired after the promulgation thereof, by at least four advertisements set up in the most public places in said borough; *And provided also,* That no tax shall be laid in any one year on the valuation of taxable property, exceeding a fourth of a cent in the dollar, unless in consequence thereof, some object of general utility it should be thought necessary, in which case a majority of the citizens of the said borough by writing under their hands, shall approve and certify the same to the town council, who shall proceed to assess the same accordingly.

Assess taxes &c. Appoint clerk, treasurer, &c.

Proviso.

Further proviso.

Burgess authorized to issue precepts for collecting taxes and fines. When collected to be paid over to the treasurer.

Further powers of the Burgess.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the burgess elected and qualified agreeable to this act is hereby authorized and empowered to issue his precept as often as occasion may require, directed to the high constable, commanding him to collect all taxes assessed, and fines and forfeitures imposed by this act, or by the rules, ordinances or regulations of the corporation, and pay the same over to the treasurer, and the said burgess is hereby authorized to carry into effect all the by-laws enacted by the council, and whatever else shall be enjoined on him for the well ordering and governing the said

borough ; he shall have jurisdiction in all disputes between the corporation and individuals arising under the by-laws.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the town clerk to attend all meetings of the town council when assembled on business of the corporation, and perform the duty of clerk thereto, and keep and preserve the common seal and records of the corporation and be answerable for the same, and also for the faithful discharge of all duties which may be enjoined on him by virtue of this act or of the acts of the corporation, whose attestation with the seal of the corporation shall be good evidence of the act or thing so certified.

Duties of the town clerk.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the treasurer shall give security for the faithful discharge of the duties of the office and for the safe delivery of all monies books and accounts appertaining thereto, into the hands of his successor upon demand made for that purpose.

Treasurer to give security.

SECT. X. *And be it further enacted by the authority aforesaid,* That the road and street commissioners, treasurer, constable and clerk of the market, as well as all other officers which may be appointed by the corporation or council, shall render their accounts to the council once in every year for settlement, and the said accounts being adjusted and settled accordingly, shall be forthwith published by the said council, showing particularly the amount of taxes laid and collected and of the expenditures.

All officers of the corporation to render their accounts annually to the council.

Accounts settled to be published.

SECT. XI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the high constable to give notice of the annual elections of the said borough, by setting up advertisements in four of the most public places in the said borough, ten days previously thereto, and he shall attend and see that the same is opened at the time and in the manner directed by this act.

Duties of the high constable.

SECT. XII. *And be it further enacted by the authority aforesaid,* That if any person or persons shall think him or themselves aggrieved by any thing done in pursuance of this act, he, she or they may appeal to the next court of general quarter sessions to be held for the proper county, upon giving security to prosecute his, her or their appeal with effect. And the court having taken such order thereon as shall seem to them just and reasonable the same shall be conclusive against all parties.

Persons aggrieved may appeal to the court of quarter session.

Decision of the court to be conclusive.

JOHN WEBER, *Speaker*  
*of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eighteenth day of March one thousand eight hundred and eleven.

SIMON SNYDER.