

other bark, tan or extraneous matter, from damage by wet, mould or otherwise.

SECT. 2. *And be it further enacted by the authority aforesaid,* That there shall hereafter be an allowance of one pound in every hundred pounds gross, for draft, and if any person shall return a lighter tare on their casks than the actual weight of them will warrant, he shall forfeit and pay the sum of twenty dollars for each and every offence, one half to the use of the person or officer who shall prosecute therefor, and the other half to the use of the poor of the said city, to be recovered as debts of equal amount are by law recoverable: *Provided* nothing in this supplement shall be considered to extend to liquid extracts of bark, or to any preparation of bark for which a patent may have been granted or hereafter may be granted from the United States.

Penalty for returning too light a tare in the casks.

How fines appropriated

Proviso.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the third section, and so much of the act to which this is a supplement, as is hereby altered or supplied, be, and the same is hereby repealed.

Part of former act repealed.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the fifth day of February, one thousand eight hundred and seventeen.

SIMON SNYDER

CHAPTER XXXVI.

AN ACT

To erect the town of Bedford, in the county of Bedford, into a borough.

SECT. 1. *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 Bedford, in the county of Bedford, shall be, and the same is hereby erected into a borough, under the name and title of "The borough of Bedford," the extent and bounds of which shall be as follows, viz. Beginning at the north end of West street; thence north, being the course of said street, to the most northerly branch of the Raystown branch of the Juniata river; thence down the said branch, by the several courses of the same, to the north end of East street; thence south along the same to the east end of John street;

Borough erected.

Boundaries.

thence west along the same to the north-east corner of the Presbyterian grave-yard; thence south along the east line of the same to the south-east corner thereof; thence west along the south line of the same to the south-west corner thereof; thence north along the great road to John street; thence with the same west to the north-west corner of doctor John Anderson's out lot; thence south to the west end of the division line between doctor John Anderson's and Jacob Bonnett's out lots; thence west eighteen perches to a post near the Federal Springs; thence north twenty-seven degrees west eighty perches to the limestone quarry road at the corner of Thomas Ray's fields; thence north fifty-eight degrees west along said Ray's division fence thirty-eight perches to Cumberland Valley run; thence down the same by the several courses thereof to the mouth of said run; and thence a straight line to the place of beginning.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said borough, entitled to vote for members of the General Assembly, and who shall have resided within the same for one year immediately preceding the election hereinafter mentioned, and within that time paid a borough tax, provided such tax has been assessed, shall, on the first Monday of May next, meet at the court house in the said borough, and then and there between the hours of one and five in the afternoon elect by ballot one citizen who shall be styled "chief burgess," one other citizen who shall be styled "assistant burgess," six citizens to be a council, and one citizen to be a high constable, all of whom shall be inhabitants of the said borough: but previously to opening the said election, or any subsequent election, held in pursuance of the provisions of this act, such of the inhabitants who may be present at the court house, shall elect three citizens as judges, one as inspector, and two as clerks of the said election, which shall be regulated throughout according to the general election laws of this Commonwealth, and who shall be subject to the same penalties for malpractices as by the said laws are imposed; and the said judges, inspector and clerks, before they enter upon the duties of their respective offices, shall take an oath or affirmation before a judge or justice of the peace of 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 in case any two or more candidates for the same office shall have an equal number of votes, the preference shall be determined by lot, to be drawn by the judges in the presence of the inspector and clerks, whereupon a certificate of said election shall be signed by the said judges, a copy thereof transmitted by the clerks to each person elected, and the original recorded in the record books of the corporation: and in case of the death, resignation, removal or refusal to accept of any of the

Qualifications of electors.

Time of holding election, and officers to be elected.

Of judges and clerks.

Regulation of elections.

Proceedings in case of a tie. Certificates of election to be made and recorded. Of resignations or refusal to serve.

said officers, a new election shall be held for the purpose of supplying such vacancy, in the manner hereinafter provided.

SECT. 3. *And be it further enacted by the authority aforesaid,* That on the Monday next after the said election, the members of the council, elected as aforesaid, shall be convened at the court house in the said borough, by order of the chief burgess or assistant burgess, and then and there shall, by lot, divide themselves into three classes, and the seats of the members of the council of the first class shall be vacated at the expiration of the first year, of the second class at the expiration of the second year, and of the third class at the expiration of the third year, counting the year as commencing for corporate purposes on the third Friday in March.

Classification of the council.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the inhabitants of said borough, entitled to vote as aforesaid, shall, on the third Friday of March next ensuing the election aforesaid, and on the same day in every year thereafter, meet at the court house as aforesaid, and elect in manner aforesaid one chief burgess, one assistant burgess, one high constable, and two members of the council to supply the places of the members of the council vacated in the manner hereinbefore mentioned; and a certificate of such election shall be signed by the said judges, a copy thereof transmitted by the high constable of the preceeding year to each person so elected, and the original recorded in the record books of the corporation: and in case of the death, resignation, removal or refusal to accept of any of the said officers, or if it should at any time happen that no election shall be holden on the day and in the manner aforesaid, the chief burgess, or in his absence, inability or refusal to act, the assistant burgess, shall issue his precept, directed to the high constable, to hold an election in manner aforesaid to supply such vacancy, giving at least ten days notice of such election in one of the newspapers in the said borough, or by five advertisements set up in the most public places within the same, and in the meantime the officers of the said borough, elected for the last year, shall continue to all intents and purposes to hold their respective offices, and exercise all the powers appertaining thereto as fully and effectually as if their term of office had not expired.

Annual election to be on the first Friday of March,

Persons elect to be notified.

How vacancies to be supplied.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the inhabitants of the said borough, in manner aforesaid, shall elect two constables, two street supervisors, two overseers of the poor, one inspector for the general election, one assessor and two assistant assessors of county taxes for the said borough, at such times, under like regulations, and for the same purposes as are or shall be hereafter directed by law in other townships within this Commonwealth; which said constables, street supervisors, overseers of the poor, inspector, assessor and assistant assessors so elected shall have, use and exercise all and every the powers, rights and privileges, perform all and every the same duties, and be subject

Constables, street supervisors, overseers of poor, inspector, assessors.

Of the duties, powers, privileges, &c. of the officers.

to all and every the same fines, penalties and forfeitures, within the said borough respectively, which are or hereafter shall lawfully be used, had and exercised, or which are or shall be suffered by and imposed upon like officers of the several townships; and the names of the said constables, street supervisors and overseers of the poor shall be returned to the next court of quarter sessions of the county, for the same purposes as is or shall be declared by law as to other officers of the same kind in the several townships of this Commonwealth.

Style of the corporation.

Their powers and privileges.

SECT. 6. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in May next, the chief burgess, assistant burgess and council duly elected as aforesaid, and their successors, shall be one body politic and corporate, by the name and style of "The Burgesses and Council of the Borough of Bedford," and shall have perpetual succession, and shall be capable, in law, to have, acquire, receive, hold, purchase and possess goods, 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, and also to give, grant, sell, let and assign the same goods, chattels, lands, tenements, hereditaments and rents; and 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 change and alter.

Penalty for refusal to act as officers.

Mode of recovery of the penalty,

and to whom paid.

Proviso.

SECT. 7. *And be it further enacted by the authority aforesaid,* That if any person duly elected as chief burgess, assistant burgess, member of the council or high constable as aforesaid, and having received notice thereof as directed by this act, shall refuse or neglect to take upon himself the execution of the said office, or having taken upon himself the duties of said office, shall neglect to discharge the same according to law, every person so refusing or neglecting shall, for every such offence, forfeit and pay the sum of twenty dollars, which fine, and all other fines and forfeitures incurred and made payable in pursuance of this act, or of any of the by-laws and ordinances of the burgesses and council, shall be for the use of the said corporation, and shall be recoverable before any justice of the peace of said county, in the same manner that debts of equal amount are or shall hereafter be by law recoverable, and when so recovered shall be forthwith paid to the treasurer of the borough; and it shall be the duty of the officers of said borough, on receiving any money belonging to the corporation, to pay the same to the treasurer forthwith: *Provided,* That no person elected as aforesaid be liable to a fine for refusing or neglecting to serve more than once in five years.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the chief burgess, assistant burgess and members

of the council, and high constable, and each of them, before entering on the duties of their respective offices, shall take and subscribe an oath or affirmation before a judge or justice of the peace of the said county, to support the constitution of the United States and of this state, and to perform the duties of their respective offices with fidelity; and the certificates of such oaths and affirmations shall be recorded amongst the records of the corporation.

Official oaths to be administered.

SECT. 9. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the chief burgess, or in case of his absence, inability or refusal to attend, of the assistant burgess, and at least four members of the council, to hold sessions, in all which the chief burgess or assistant burgess, as the case may be, shall preside, and in case of an equal division of the council he shall give the casting vote, on the third Saturday of May, July, October and February in each year, and oftener if occasion should require, of which notice shall be given in manner aforesaid by the chief burgess or assistant burgess; at which sessions they may enact and ordain, revise, repeal and amend all such by-laws, ordinances, rules and regulations as shall be deemed expedient to promote the peace, good order, benefit and accommodation of the citizens of the said borough, to provide for the regulation of the markets, improve, repair and keep in good order the streets, alleys and highways, ascertain the depth of vaults, sinks, pits for privies, make permanent rules relative to the foundations of buildings, party walls and fences, and particularly to accomplish the conveyance and distribution of a sufficient quantity of good and wholesome water to and through the borough, and its permanent continuance for the accommodation of the inhabitants; they shall further have power to enact by-laws imposing fines and penalties and incurring partial or total forfeitures, and to assess, apportion and appropriate such taxes as shall be adjudged necessary for carrying the said by-laws, ordinances, rules and regulations from time to time into complete effect; which by-laws, ordinances, rules and regulations shall be signed by the president of the council, attested by the secretary, and recorded in the record books of the corporation, and also to appoint annually a secretary, treasurer, clerk of the market, and a collector and such other officers as may from time to time be thought necessary, and the same officers from time to time to remove for misdemeanor in office; which sessions of the said burgess and council shall be held at the court house in the said borough until a town house shall be erected: *Provided,* That no by-law, ordinance, rule or regulation of the said corporation shall be repugnant to the constitution or laws of the United States or of this Commonwealth, and that no person shall be punished for a breach of any by-law, ordinance, rule or regulation made as aforesaid, until ten days have expired after the promulgation thereof in at least one English, and, if there be any, one Ger-

Burgess or assistant with 4 members constitute a quorum.

Time of meeting and nature of it.

Of by-laws.

Assess taxes, &c.

By-laws to be signed by president & attested by secretary.

Officers removable.

Proviso that no by-laws shall oppugn constitution, &c.

man newspaper printed in the said borough, or by at least five advertisements set up in the most public places within the said borough: *And provided also*, That in laying such tax due regard shall be had to the valuation of taxable property assessed, or hereafter to be assessed, for the purpose of raising county rates and levies, so that the said tax shall not in any one year exceed one cent in the dollar of such valuation, unless some object of general utility should require the same, in which case the consent thereto of a majority of the taxable inhabitants of the said borough shall be previously obtained in writing.

2d proviso,
as to amount
of taxes to be
assessed.

Of issuing
precept to
collect taxes.

SECT. 10. *And be it further enacted by the authority aforesaid*, That the chief burgess elected and qualified agreeably to this act, or in case of his absence, inability or refusal to act, the assistant burgess, is hereby authorised and empowered to issue his precept as often as occasion may require, directed to the high constable, or, in case of his inability to act, to some other fit person, commanding him to collect all taxes assessed by this act, or by the ordinances, by-laws, rules and regulations of the corporation, and to cause the same to be paid over to the treasurer; and the said burgess is hereby authorised to carry into effect all by-laws enacted by the said chief burgess or assistant burgess and council.

Duties of the
secretary.

SECT. 11. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the secretary to attend all sessions of the burgess and council when assembled upon 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 the duties which may be enjoined upon him by virtue of this act or the acts of the corporation, whose attestation, with the seal of the corporation, shall be good evidence of the act or thing so certified.

Treasurer to
give security.

SECT. 12. *And be it further enacted by the authority aforesaid*, That the treasurer shall give sufficient security for the faithful discharge of the duties of his 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.

Accounts to
be annually
rendered,

and publish-
ed.

SECT. 13. *And be it further enacted by the authority aforesaid*, That the street supervisors, treasurer, high constable, clerk of the market, collector, and overseers of the poor, as well as other officers who may be appointed in the corporation by the chief burgess or assistant burgess and council, shall, at their sessions on the third Saturday of May and October in each and every year, render their accounts to the said burgess and council for settlement, and the said accounts being adjusted and settled accordingly shall be forthwith published by said council, shewing particularly the amount of taxes laid and collected and all monies paid into the treasury, and the particular items of expenditures.

SECT. 14. *And be it further enacted by the authority aforesaid.* That the chief burghess, assistant burghess and three members of the council, to be appointed at their first session in each year, or any three of them, shall constitute a court of appeal, and prior to the collection of any borough tax the collector shall inform each inhabitant of the amount of his tax and of the time and place of appeal: *Provided,* That the said court of appeal shall have no other power, as such, than to determine the justness of the apportionment of said tax and to remedy any grievance that may occur in imposing the same. Of appeals.
Provided,

SECT. 15. *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 election in said borough, in at least one newspaper printed therein, or by setting up at least five advertisements in the most public places therein at least ten days previously thereto; he shall attend and see that the election is opened at the time and in the manner directed by this act: *Provided,* That David Mann and James M. Russell, of the said borough, or either of them, shall publish and superintend the election to be held on the first Monday of May next, as herein before directed. High constable to give notice of elections, &c.
Proviso.

SECT. 16. *And be it further enacted by the authority aforesaid,* That the chief burghess, or in case of his absence, inability or refusal to act, the assistant burghess and council shall from time to time affix the salaries of the high constable, secretary, treasurer, clerk of the market and such other officers as may be appointed under this act; which salaries shall be paid out of the borough treasury by orders drawn thereon signed by the chief burghess or assistant burghess, as the case may be, and attested by the secretary, which salaries shall not be increased or diminished during the time for which the said officers shall have been appointed respectively: *Provided,* That if any person appointed by the said burghess and council as aforesaid, shall neglect or refuse to take upon himself the duties of the office to which he shall be so appointed, he shall, for such neglect or refusal, forfeit and pay for the use of the corporation the sum of ten dollars, unless he can render to the said burghess and council a satisfactory reason why he should be exonerated from such service: *Provided also,* That no person shall be liable to a fine for refusing to take upon himself the duties of the office to which he shall be so appointed oftener than once in five years. Of salaries.
Provisb.

SECT. 17. *And be it further enacted by the authority aforesaid,* That if any person or persons shall think him, her or themselves aggrieved by any thing done in pursuance of this act, or of any by-law or ordinance made under the authority of the same, except what relates to the assessing and collecting of the borough tax, and appointments made by the burghess and council as aforesaid, he, she or they may appeal to the next court of common pleas to be held for the same county. Appeal may be had to the quarter sessions.

upon giving security according to law to prosecute his, her or their appeal with effect, and the said court having taken such order therein as shall seem to them just and reasonable, the same shall be conclusive and bind all parties.

Repeal of former acts.

SECT. 18. *And be it further enacted by the authority aforesaid,* That from and after the first Monday in May next, the act entitled "An act to erect the town of Bedford into a borough," passed the thirteenth day of March in the year of our Lord one thousand seven hundred and ninety-five, and the act entitled "An act to enlarge the limits of the borough of Bedford," passed the twenty-sixth day of March in the year of our Lord one thousand eight hundred and fourteen, be, and the same are hereby repealed.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the fifth day of February, one thousand eight hundred and seventeen.

SIMON SNYDER.

CHAPTER XXXVII.

AN ACT

To authorise the printing of the pamphlet laws of this Commonwealth.

3,000 copies to be printed.

Their form and price.

When to be delivered.

SECT. 1. *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 Governor be, and hereby is authorised to contract for the printing of three thousand copies of the laws of the present and each of the two next succeeding sessions of the Legislature, on the best and most advantageous terms for the Commonwealth, not to exceed the rate of sixty dollars per sheet of sixteen pages, exacting a sufficient security for the faithful performance of the said contract, to be printed in octavo form, on paper number two of a medium size, with a good long primer type, each page to contain not less than eighteen hundred m's, including the marginal references, and the execution of the work generally to correspond with the pamphlet editions of the laws lately published by Jacob Elder, each of the said copies to be stitched and covered in pamphlet form, and to be delivered at the office of the Secretary of the