

1784.

said Dock-street southward, to the public ground on the south side of the said main branch of the Dock.

Proviso.

[SECT. V. *Provided always nevertheless*, That nothing in this act contained shall extend, or be construed to extend, to authorize the said commissioners to raise, levy or collect any greater or further sum, for all and every the purposes in the said recited act, to which this is a supplement, mentioned, than in and by the said recited act is provided, nor to expend or appropriate more of the said monies so provided for, and directed to be raised, than the sum of three thousand five hundred pounds, for or concerning the opening and extending the said Dock-street, and completing the said arches, as herein before mentioned, described and directed.]

Passed 1st September, 1784.—Recorded in Law Book No. II. page 357.

CHAPTER MXCVI.

An ACT for erecting the south-western part of the county of Cumberland into a new county.

SECT. I. **WHEREAS** many of the inhabitants of the south-western parts of the county of Cumberland have, by their petition to the General Assembly of this state, represented the inconveniences and hardships which they suffer, by the large extent of the said county of Cumberland, and the great distance at which the said petitioners dwell from the town of Carlisle, where the courts of justice, and the public offices of the same county, are held and kept, and that by reason of such remoteness of the said courts and offices, the recovery of their just debts and demands is rendered difficult and chargeable, and in some cases is unequal to the pains and costs, which they would be put to in prosecuting and suing for them; and that felons, misdoers, and other offenders, from the same causes, often escape the punishment due to their demerits: For remedy whereof,

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same*, That all and singular the lands, lying and being within that part of Cumberland county, which are bounded as followeth, that is to say; beginning on the York county line, in the South Mountain, at the intersection of the line between Lurgan and Hopewell townships, in Cumberland county; thence by the line of Lurgan township (leaving Shippensburg to the eastward of the same,) to the line of Fannet township; thence by the lines of the last mentioned township (including the same,) to the line of Bedford county; thence by the line of Bedford county, southwardly, to the Maryland line; thence by the said line, east, to the line of York county; thence by the line of York county, along the South Mountain, to the place of beginning, be, and hereby are, erected into a county, named, and hereafter to be called, the county of "Franklin."

Boundaries.

Courts, &c.
constituted.

SECT. III. *And be it further enacted by the authority aforesaid*, That the said county of Franklin is entitled to, and shall at all

times hereafter have, all and singular the courts, jurisdictions, 1784.
offices, rights and privileges, to which the counties of this state are
entitled, by the constitution and laws thereof.

SECT. VIII. *And be it further enacted by the authority aforesaid,* Sheriffs, &c. shall give security. [Altered by subsequent acts, with respect to Sheriffs and Treasurers. See Index.]
That the Sheriffs, Treasurers, Prothonotaries, [collectors of excise,] 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 Franklin, before they, or any of them, shall enter upon the execution of their respective offices, shall give sufficient security, in the same sums, 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 Cumberland.

SECT. IX. *And be it further enacted by the authority aforesaid,* Elections to be holden for representatives.
[That at the first general election to be holden for the said county of Franklin, at Chambersburgh, on the second Tuesday of October next, there shall be chosen three Representatives, to serve them in the General Assembly, one Counsellor, two fit persons for Sheriffs, and two fit persons for Coroners, and three Commissioners,] in the same manner, and under the same rules, regulations and penalties, as by the constitution and laws of this state are directed, in respect to the other counties; and the said Representatives, [Counsellor,] and other officers, when chosen, and duly qualified, shall have and enjoy all and singular such powers, authorities and privileges, in and for their county, as such officers elected in and for any other county, may, can, or ought to have.

SECT. XI. *And be it further enacted by the authority aforesaid,* Trustees appointed.
That James Maxwell, James M. Calmont, Josiah Crawford, David Stoner, and John Johnston, are hereby appointed trustees for the said county of Franklin, and they, or any three of them, shall take assurances of and for two lots of ground, in the town of Chambersburgh or Chamberstown, in the township of Guilford, within the said county of Franklin, for the seats of a court-house, and of a county gaol or prison, for said county, in the name of the commonwealth, in trust and for the use and benefit of the said county of Franklin, and thereupon to erect a court-house and prison, sufficient to accommodate the public service of the said county.

SECT. XIII. Whereas it is but just and reasonable, that Franklin county should have their full proportion or share of what money is raised for Cumberland county, for county uses, after all just demands against said county of Cumberland, before passing this act, are paid: Therefore,

SECT. XIV. *Be it enacted by the authority aforesaid,* Debts due by Cumberland to be ascertained, and overplus allowed.
That the commissioners of Cumberland county shall ascertain all the just debts due by said county, (before passing this act,) and deliver a certified copy of all such debts to the trustees of Franklin county, within three months after this present time; and if the taxes assessed and laid in Cumberland county, before passing this act, for county uses, shall be more than sufficient to pay all the just debts of said county, when the said taxes shall be collected and paid to the Treasurer of Cumberland county, he, the said Treasurer, shall pay unto the trustees of Franklin county their full proportion or

1784. part of such overplus money, agreeably to the taxes the said two counties have respectively paid; the same to be ascertained by the commissioners of Cumberland county.

Passed 9th September, 1784.—Recorded in Law Book No. II. page 365. (c)

(c) The sections omitted, are obsolete or repealed. Sect. 4. Courts to be held at Chambersburg, till court-house built.—(see sect. 11.) Sect. 5. Justices of the peace to be elected.—Provision with regard to taxes already assessed, and arrears of excise. 7. Suits already commenced not to be discontinued, &c. 10. Number of representatives fixed.—(supplied.) 12. Provision for levying money for erecting the public buildings. (obsolete.)

The line between Franklin and Cumberland being doubtful, it was explained by an act passed March 27th, 1790, (chap. 1487,) in the following manner, "That a line beginning at York county line, in the South mountain, at the intersection of Lurgan and Hopewell townships; thence by a line composed of part of the original line of Lurgan township, and one to be run, so as to leave the tract of land, now or late of Edward Shippen, whereon the town of Shippensburg is erected, within the county of Cumberland, to the line of Fannet township; thence by the lines of the last mentioned township, (leaving the same in Franklin county,) to the line of Bedford county, shall be the boundary line between the counties of Cumberland and Franklin."

By an act passed March 29th, 1798, (chap. 1982,) all that part of Bedford county, commonly called the Little Cove, and lying eastward of a line to begin in the Maryland line, near the Great Cove, or Tuscarora mountain; thence running north easterly, along the summit of the said mountain, until it intersects the present line between Bedford and Franklin counties, was annexed to Franklin county, and to be considered as part of Montgomery township, and vote therewith; until otherwise directed. Commissioners were appointed by the act to run the boundary line, at the expense of Franklin county.

Franklin county was divided into four election districts, by an act passed September 10th, 1787, (chap. 1290.)

Lurgan and Southampton townships, erected into the fifth district, by act of September 27th, 1788, (chap. 1351.)

Letterkenny township annexed to the fifth district, and the place of holding elections therein, changed, and part of Southampton annexed to the first district, by an act passed September 4th, 1793, (chap. 1692.)

The electors of the townships of Fannet and Metal, to hold their general elections at the school house in Fannetsburg, by act of March 21st, 1797, (chap. 1922, sect. 8.)

Washington township erected into a separate district, to be called the sixth district, by act of March 3d, 1800, (chap. 2104.)

Fannet township made a separate district by act March 19th, 1804, (chap. 2450.)

The place of holding the general elections for Antrim township established April 14th, 1805, (chap. 2599, sect. 20.)

Southampton township made a district by act passed April 11th, 1807, (chap. 2856, sect. 17.)

By the last enumeration, the county of Franklin contained three thousand seven hundred and eighty-nine taxables, and by act of March 21st, 1808, (chap. 2931,) passed in pursuance thereof, sends three members to the house of representatives, and one member to the senate.

The counties of Adams, Franklin and Cumberland, compose the ninth judicial district, and the courts in Franklin county are held on the second Mondays of January, April, August and November; the term continues one week.

By the act of March 11th, 1809, the counties of Cumberland, Bedford, Franklin, Huntingdon and Adams, compose the southern district of the supreme court, and the term is held at Chambersburg, on the Monday week next following the end of the second week of the term of the western district, which latter is held on the first Monday of September annually. The term to continue two weeks, if necessary, with power to hold adjourned courts, when necessary.

For other matters relating to this county, see the General Index, title "Franklin county."